



WEB COPY



Crl.O.P.No.2826 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2826 of 2025

1. Rajakili
2. Kuppusamy
3. Rajamani

... Petitioners/A2 to A4

Vs.

The State represented by,
The Inspector of Police,
Konganapuram Police Station,
Salem District.
(Crime No.417 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.417 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.C. Deepak kumar
Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side) For

ORDER

This Criminal Original Petition has been filed by the petitioners/A2 to A4, who were arrested and remanded to judicial custody on 16.12.2024, seeking bail in Crime No.417 of 2024 registered for the offence under Section 103(1) of BNS



Crl.O.P.No.2826 of 2025

Act.

2. The case of the prosecution is that one Ramar was the father-in-law of the deceased; that A1 had purchased a land from the said Ramar, which was cultivated by the deceased; that on account of the same, there was an enmity between A1's family and the defacto complainant's family; that on 15.12.2024 at about 2.00 p.m, there was a wordy quarrel and in continuation of the same, about 5.00 p.m., on the same day, when the deceased was proceeding in his tractor, the petitioners along with A1 attacked the deceased with a knife and wooden log, as a result of which, the deceased died.

3. The learned counsel appearing for the petitioners would submit that the 1st petitioner/A2 and the 3rd petitioner/A4, are ladies and the 2nd petitioner/A3, is the father of A1; and that they have been falsely implicated on account of prior enmity; that in any case, they are in custody from 16.12.2024 and since, their further custody is not required for the purpose of investigation, they may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the



Crl.O.P.No.2826 of 2025

respondent police *per contra* submitted that petitioners are also involved in the offence and the investigation is pending. However, he added that the respondent do not intend to take them into police custody and there are no previous cases against the petitioners.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. The dispute between the petitioners and the family members of the deceased is with regard to a property. The petitioners have no previous bad antecedents.

7. Therefore, considering the above and the fact that the petitioners are in custody from 16.12.2024 and also that their further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their



Crl.O.P.No.2826 of 2025

executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)**

each with **two sureties**, each for a like sum to the satisfaction of the learned

Judicial Magistrate, Edapadi, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.



WEB COPY

ars



CrI.O.P.No.2826 of 2025

05.02.2025



Crl.O.P.No.2826 of 2025

WEB COPY

To

1. The Judicial Magistrate,
Edapadi.
2. The Inspector of Police,
Konganapuram Police Station,
Salem District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.2826 of 2025

SUNDER MOHAN., J.

ars

Crl.O.P.No.2826 of 2025

05.02.2025