



WEB COPY



Crl.O.P.No.3859 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

Crl.O.P.No.3859 of 2025

1.Karthi

2.Sathyamoorthi

... Petitioners

Vs.

The State Represented by
The Sub Inspector of Police
Thevoor Police Station
Salem District
(Crime No.27 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail in Crime No.27 of 2025, on the file of the respondent Police.

For petitioners : Mr.T.Muruganantham

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 29.01.2025, seeking bail in Crime No.27 of 2025 registered for the offence under Section 191(2), 191(3), 296(b), 329 and 351(3) of BNS 2023 (147, 148, 294, 441 & 506 of IPC) r/w.3 of



TNPPDL Act.

WEB COPY

2.The case of the prosecution is that due to previous enmity, the petitioners trespassed into the house of the de facto complainant and damaged the household articles.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case. The learned Government Advocate further submitted that there is a property dispute between the petitioners and the de facto complainant.

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.Considering the nature of allegations, period of incarceration undergone by the petitioners, 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 executing a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned

Judicial Magistrate I, Sankari, 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., for a period of two weeks, and thereafter as and when required;

[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 of B.N.S.

14.02.2025

sai



WEB COPY



Cr1.O.P.No.3859 of 2025

G.K. ILANTHIRAIYAN, J.

sai

To

1.The Judicial Magistrate I, Sankari

2.The Sub Inspector of Police
Thevoor Police Station
Salem District

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.3859 of 2025

14.02.2025