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Crl.O.P.Nos.5277 & 5279 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.Nos.5277 & 5279 of 2025

Harish Maran

...Petitioner/Accused
in Crl.O.P.No.5277 of 2025

Surya

...Petitioner/Accused
in Crl.O.P.No.5279 of 2025

Vs.

State through
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

(Crime No.02 of 2025)

...

Respondent in
both Petitions

COMMON PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.02 of 2025 pending investigation on the file of the respondent police.

(In both OP's)

For Petitioner : Mr.R.T.Vishnu

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



COMMON ORDER

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This Criminal Original Petitions have been filed by the petitioner, who were arrested and remanded to judicial custody on 01.01.2025, seeking bail in Crime No.02 of 2025 registered for the offence under Sections 109, 115(2), 118(1), 126(1) and 296(b) of BNS, 2023 altered to Section 103(1), 115(2), 118(1), 126(1) and 296(b) of BNS, 2023.

2.It is the case of the prosecution that on the New Year Eve, the petitioner along with the other accused had blocked an auto in which the victim and his friends were travelling, due to which, there was a wordy quarrel between two parties; that during quarrel, the accused abused the defacto complainant in filthy language and assaulted him and caused injuries. Hence, case.

3.The learned counsel for the petitioner in both the petitions would submit that the petitioner is innocent and he has been falsely implicated in this case; that there is a case of case and counter case and that, in the said



incident the petitioners had also sustained injuries, admitted to the hospital and got discharged; and that co-accused were already granted bail in Crl.O.P.No.2102 & 2831 of 2025 on 29.01.2025 and 07.02.2025. Hence, he prays for the grant of bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the case of the prosecution and submitted that there are three previous cases pending against the petitioners and also confirmed that there is a case and case in counter.

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

6.Considering the period incarceration and the fact that co-accused has been granted bail by this Court in Crl.O.P.No.2102 & 2831 of 2025 dated 29.01.2025 and 07.02.2025 and the petitioners are on bail in all the other cases and since further custody of the petitioners is not required for the purposes of interrogation, this Court is inclined to grant bail to the



petitioners with certain conditions.

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7. Accordingly, both the petitioners are ordered to be released on bail on their executing separate 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 **Judicial Magistrate, Palladam**, 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



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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.

03.03.2025

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Copy to:

- 1.The Inspector of Police,
Palladam Police Station,
Tiruppur District.
- 2.The Judicial Magistrate, Palladam.
- 3.Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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