



Crl.O.P.No.5691 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5691 of 2025

Manikandan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.
(Crime No.31 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.31 of 2025, pending investigation on the file of the respondent Police.

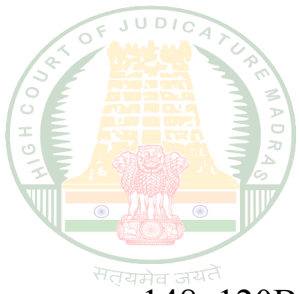
For Petitioner : Mr.J.Pradeep

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

For Intervenor : Mr.M.P.Saravanan

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 21.01.2025, seeking bail in Crime No.31 of 2025 registered for the offence under Sections 103(1) of BNS Act @ Section 103(1), 191(2), 191(3), 61(2) of BNS Act [Sections 302, 147,



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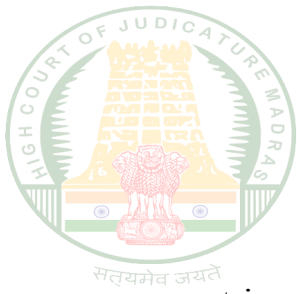
148, 120B of IPC].

2. The case of the prosecution is that the deceased had teased the wife of A1, for which, A1 along with the petitioner/A3, who is the brother-in-law of A1 had conspired together and decided to do away the life of the deceased, accordingly, they contacted A4 and A4 in turn engaged A5 and A6, who caused the death of the deceased by attacking him with sharp weapons. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the deceased was continuously harassing A1's wife, due to which alleged incident had taken place. He further submitted that the petitioner is in custody from 21.01.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned counsel for the defacto complainant vehemently opposed for granting bail to the petitioner stating that the petitioner and others were involved in gruesome murder and hence no indulgence should be shown.

5. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that, investigation almost completed and only the forensic



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report is awaited. He further submitted that the petitioner has two previous cases and in those cases, he is on bail.

6. 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.

7. Considering, the nature of allegation; period of incarceration; petitioner is on bail in other cases and that since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Hosur** 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;



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[b] the petitioner shall stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

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To

1. Judicial Magistrate No.II,
Hosur.
2. The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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