



Crl.O.P.Nos.6619 & 6620 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.6619 & 6620 of 2025

Praveenkumar ... Petitioner in Crl.O.P.No.6619 of 2025/A3

1. Kowthamraj

2. Dass

... Petitioners in Crl.O.P.No.6620 of 2025/A1 and A5

Vs.

The State represented by,
The Inspector of Police,
Kadathur Police Station,
Dharmapuri District.
Crime No.32 of 2025

... Respondent in both Crl.O.Ps

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.32 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.R.Dasaratha Rao

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

COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners, who were arrested and remanded to judicial custody on 22.02.2025, seeking bail in Crime No.32 of 2025 registered for the offence under Sections 162(2), 296(b),



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115(2), 118(1), 351(3) of BNS @ Section 61(2) read with Section 126(2), 296(b), 115(2), 118(1), 109, 351(3) of BNS [Section 120(B) read with Sections 339, 294(b), 321, 324, 307, 506(ii) of IPC].

2. The case of the prosecution is that the victim is the husband of A2; that A2 and A1 had illicit relationship; that A2 informed A1 that the defacto complainant used to quarrel with her in an inebriated condition and caused mental cruelty, for which, A1 along with A3 to A5 conspired together and attacked the defacto complainant using wooden log, as a result defacto complainant sustained grievous injuries. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons; that they have been falsely implicated in this case; that the petitioners are in custody from 22.02.2025; and that since further custody is not required, the petitioners may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the victim, who had taken treatment in the hospital, has now been discharged from the hospital.



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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 against the petitioners; period of incarceration; injured has been discharged from the hospital and since 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 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, Pappireddipatti.**

[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 **Inspector of Police, Thallakulam Police Station, Madurai**



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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.

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To

1. Judicial Magistrate, Pappireddipatti.
2. The Inspector of Police,
Kadathur Police Station,
Dharmapuri District.
3. The Superintendent,
Sub Jail, Harur.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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