



Crl.O.P.No.6685 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6685 of 2025

1. Sekar
2. Vijayakumar

... Petitioners/A1 & A2

Vs.

The State represented by,
The Inspector of Police,
Veppankuppam Police Station,
Vellore.
(Crime No.38 of 2025).

... Respondent

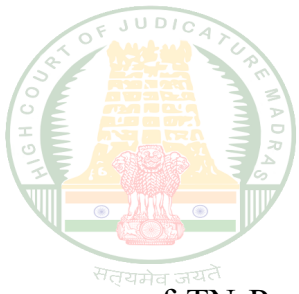
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.38 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.M.R.Thangavel

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 03.02.2025, seeking bail in Crime No.38 of 2025 registered for the offence under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3), 109, 103(1) of BNS, 2023 and Section 4



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of TN Prohibition of Harassment of Women Act, 2002 [147, 148, 339, 294(b), 323, 324, 506, 307, 302 & Section 4 of TN Prohibition of Harassment of Women Act, 2002.

2. The case of the prosecution is that the deceased is the brother of A5; that the defacto complainant is the son of the deceased; that there was a property dispute between A5 and the deceased; that on 03.02.2025 at about 09.00.a.m., the petitioners along with A3 to A8 went to the disputed land and A3 & A6 attempted to plant coconut trees and caused hindrance to the defacto complainant which was questioned by the deceased and a wordy quarrel ensued between them; that during quarrel, A1 assaulted the deceased with Aruval and A2 assaulted the deceased with knife. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the co-accused were granted bail by this Court; that the petitioners are in custody from 03.02.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and confirmed the fact that the co-accused were granted bail by this Court.

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 allegation; period of incarceration; the fact that the co-accused were granted bail by this Court 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 **Additional Mahila Court, Vellore** 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 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.

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To

1. Additional Mahila Court, Vellore.
2. The Inspector of Police,
Veppankuppam Police Station,
Vellore.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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