



Crl.O.P.Nos.7138 & 7222 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.7138 & 7222 of 2025

V.Mohan Prasath Petitioner/ A5 in Crl.O.P.No.7138 of 2025

Gowtham ... Petitioner/A7 in Crl.O.P.No.7222 of 2025
Vs.

The State represented by,
The Inspector of Police,
Podhanur Police Station,
Coimbatore City.
(Crime No.03 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.03 of 2025, pending investigation on the file of the respondent Police.

For Petitioner in
Crl.O.P.No.7138 of 2025 : Mr.S.Suresh

For Petitioner in
Crl.O.P.Nos.7222 of 2025 : Mr.M.Vijaya Ragavan

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



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COMMON ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 08.01.2025 and 11.01.2025 respectively, seeking bail in Crime No.03 of 2025 registered for the offence under Sections 126, 103 and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 @ Sections 103, 126, 351(3) , 49, 61(2) of BNS [302, 339, 506, 109, 120B of IPC].

2. The case of the prosecution is that, A1 to A3 and the deceased were living in the sane apartment; that there was a quarrel during the New Year celebration and the deceased attacked A1 to A3; that hence A1 to A3 decided to do away the deceased; that on the date of occurrence ie., on 08.01.2025, A1 to A3 waylaid the deceased and attacked with knife and caused his death. It is further alleged that by the prosecution the petitioners along with A4 & A6 watched the movements of the deceased and informed the same to A1 to A3. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false and in any case; that co-accused were granted bail by this Court and since further custody is not required, the petitioners may be released on bail.



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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. Considering the nature of allegations against the petitioners; the fact that similarly placed co-accused were granted bail by this Court; period of incarceration; the fact that the petitioners have no bad antecedents 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.

6. 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 **District Munsif Cum Judicial Magistrate, Madukkarai, Coimbatore District.**

[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;



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[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. District Munsif Cum Judicial Magistrate,
Madukkarai, Coimbatore.
2. The Inspector of Police,
Podhanur Police Station,
Coimbatore City.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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