



Crl.O.P.No.7436 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7436 of 2025

Sathya

... Petitioner/A6

Vs.

The State represented by,
The Inspector of Police,
Jolarpet GRP (Railway Police Station),
Thirupathur District.
(Crime No.3 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.3 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who were arrested and remanded to judicial custody on 07.01.2025, seeking bail in Crime No.3 of 2025 registered for the offence under Section 103(1) of BNS 2023[IPC 302].



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2. The case of the prosecution is that A1 had borrowed money from the defacto complainant and that he had failed to repay the amount, for which the defacto complainant took away the bike of A1 and also abused him in filthy language; that enraged by the same, A1 called the defacto complainant for consuming alcohol and thereafter, A1 with the help of the petitioner/A6 and other accused strangled the deceased with the help of the towel and also disposed the body in the railway track. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the case was originally registered for the offence under Section 174 of Cr.P.C., subsequently it was altered to Section 302 of IPC; that the co-accused in this case were enlarged on bail by this Court and in any case, the petitioner is in custody from 07.01.2025 and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and confirmed the fact that co-accused were enlarged on bail. He further submitted that, petitioner has no previous case.



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5. Considering the nature of allegations against the petitioner; the fact that co-accused were enlarged on bail; period of incarceration; the fact that the petitioner has no bad antecedents and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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.III, Tirupattur.**

[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 petitioner shall report before the respondent Police, 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;



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[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.

14.03.2025

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To

1. Judicial Magistrate No.III, Tirupattur.
2. The Inspector of Police,
Jolarpet GRP (Railway Police Station),
Thirupathur District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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