



Crl. O.P. No.7835 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.7835 of 2025

Tamilarasan S/o. Murugan

... Petitioner/Accused-3

Vs.

The State represented by-

The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
(Crime No.26 of 2025).

... Respondent

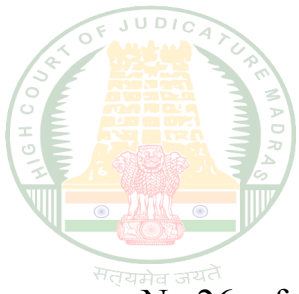
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.26 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.S. Saravanan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 14.02.2025, seeking bail in Crime



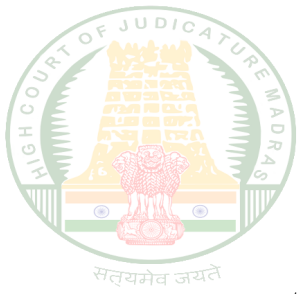
Crl. O.P. No.7835 of 2025

No.26 of 2025 registered for the offences under Section 105 of B.N.S. and Section 135(1)(a) of Indian Electricity Act, 2003.

2. The case of the prosecution is that the 1st victim had entered the land, which was taken on lease by the petitioner and was owned by one Elango, that while he entered, he came in contact with fence and suffered electrocution and died; that when the 2nd victim, who is the father of the 1st victim came in search of the 1st victim, he also suffered electrocution and died. Hence the case.

3. The learned counsel appearing for the petitioner submitted that petitioner is in custody from 14.02.2025; that the petitioner is no way connected with the alleged offences; that A1 and A2 are the owners of the land; that the petitioner has been implicated based on the confession of the co-accused stating that they had fixed the electric fence; that the co-accused were released on bail; and since further custody of the petitioner is not required and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has been implicated based on the confession of the co-accused and that the co-accused



Crl. O.P. No.7835 of 2025

were granted bail.

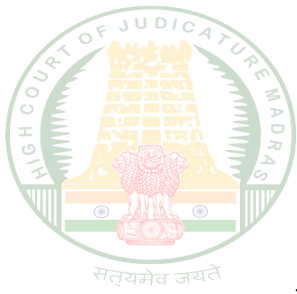
5. Considering the nature of allegations, period of incarceration, the petitioner has been implicated based on the confession of the co-accused, the co-accused were already granted bail and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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, Harur.**

[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



Crl. O.P. No.7835 of 2025

WEB COPY

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.

18.03.2025

mjs

To

1. The Judicial Magistrate, Harur.
2. The Inspector of Police, Kottapatti Police Station, Dharmapuri District.
3. The District Prison, Dharmapuri.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl. O.P. No.7835 of 2025

SUNDER MOHAN., J.

mjs

Crl. O.P. No.7835 of 2025

18.03.2025