



Crl.O.P.No.8040 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8040 of 2025

Sundari

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai.
(Crime No.49 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.49 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Vignesh

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 No.49 of 2025 registered for the offence under Sections 105 of the BNS, 2023 [304 of IPC] read with Sections 135(1)(b) of Electricity Act, 2003.



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2. The case of the prosecution is that the petitioner put up electric fence in his land to prevent the rats from damaging the land; that the deceased came in contact with fence and suffered electrocution and died. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that even according to the prosecution, petitioner has no intention to kill the deceased person; and in any case the petitioner is in custody from 14.02.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the petitioner has no previous case.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering, that nature of allegation against the petitioner, the period of incarceration; the fact that the petitioner has no bad antecedents and



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since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, Polur** and on further conditions that:

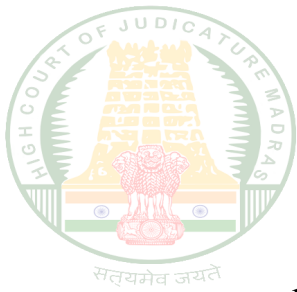
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[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;

[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



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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.

19.03.2025

Sma

To

1. Judicial Magistrate, Polur.
2. The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai.
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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