



WEB COPY

Crl.O.P.No.8320 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8320 of 2025

Sanjay

...Petitioner/Accused 4

Vs.

State rep by
The Inspector of Police,
Brammadesan Police Station,
Villupuram District.

(Crime No.40 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.40 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Sasikumar

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 10.02.2025, seeking bail



in Crime No.40 of 2025 registered for the offence under Sections 109(1) of BNS, 2023 @ Sections 109(1), 49, 61(2)(a) of BNS, 2023.

WEB COPY

2.It is the case of the prosecution that totally there are five accused; that A1 to A3 are family members; that the petitioner is the friend of A1 and A5 is the friend of the petitioner; that due to previous enmity between A1 to A3 and the defacto complainant in respect of a property dispute, the petitioner along with the other accused went to the defacto complainant's land and assaulted the defacto complainant's husband with knife on his head, neck and face and caused grievous injuries; hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has no bad antecedents; that in any case, considering the period of incarceration from 10.02.2025, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that the injured has been discharged from the hospital and that the petitioner has no bad antecedents.



WEB COPY

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration, the fact that the injured has been discharged from the hospital, the petitioner has no bad antecedents and since further custody of the petitioner 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 **Judicial Magistrate – II, Tindivanam**, 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;

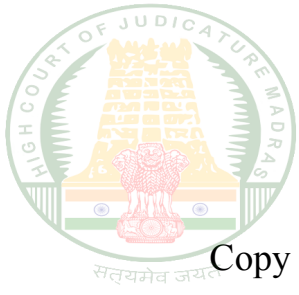
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 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.

20.03.2025

ata



Copy to:

WEB COPY

- 1.The Inspector of Police,
Brammadesan Police Station,
Villupuram District.
- 2.The Judicial Magistrate – II, Tindivanam.
- 3.Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY

Crl.O.P.No.8320 of 2



SUNDER MOHAN, J.

ata

Crl.O.P.No.8320 of 2025

20.03.2025