

SUNDER MOHAN. J.,

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that on 08.04.2025, this Court had granted bail to petitioner herein in Crl.O.P.No.9029 of 2025. However, in the order, the offence is mentioned as 103(1), 61(2), 296(b) of BNS instead of 109, 103(1), 61(2), 296(b) of BNS. Thus, he prayed for suitable directions.

3. Considering the submissions made by the learned counsel for the petitioner, Registry is directed to issue order copy afresh forthwith, by correcting paragraph No.1 of the order as follows:

“This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 16.02.2025, seeking bail in Crime No.96 of 2025 registered for the offence under Sections 109, 103(1), 61(2), 296(b) of BNS.”

09.04.2025

Issue order copy by 09.04.2025.

Upload order copy forthwith

drl

IN THE HIGH COURT OF JUDICATURE AT MADRAS



DATED : 08.04.2025



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THE HON'BLE MR. JUSTICE SUNDER MOHAN

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Crl.O.P.No.9029 of 2025

Punitharaj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram.
(Crime No.96 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.96 of 2025, pending investigation on the file of the respondent Police.

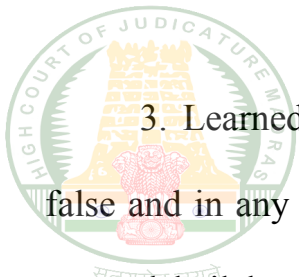
For Petitioner : Mr.V.Premkumar

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 16.02.2025, seeking bail in Crime No.96 of 2025 registered for the offence under Sections 103(1), 61(2), 296(b) of BNS.

2. The case of the prosecution is that, there was a previous enmity between the defacto complainant's son and the deceased; that on the date of occurrence, A1 to A3 called the deceased to consume liquor; that at that time, A2 assaulted the deceased using hammer, as a result of which, deceased sustained grievous injuries and died. Hence, the case.



3. Learned counsel appearing for the petitioner submitted that the allegation is false and in any case the petitioner is in custody from 16.02.2025; that co-accused was granted bail by this Court 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 confirmed the fact that the co-accused was granted bail by this Court. He further submitted that the petitioner has no previous cases.

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 the nature of allegations; the fact that the co-accused was granted bail by this Court; the period of incarceration; 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.

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, Sriperumbudur** 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;

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[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.

08.04.2025

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To



1. Judicial Magistrate, Sriperumbudur.

2. The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram District.

3. The Superintendent,
Central Prison Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.9029 of 2025

08.04.2025