



WEB COPY

Crl.OP.No.10365 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.10365 of 2025

1.Gokulprasath
2.Robert
3.Karthi @ Karthikeyan

... Petitioners /Accused 1 - 3

Vs.

The State rep. by
The Inspector of Police,
Udumalpet Police Station,
Thiruppur District.

... Respondent/ Complainant

(Crime No.148 of 2025)

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.148 of 2025 pending investigation on the file of the respondent police.

For petitioners : Mr.M.D.Ilayaraja

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



ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 12.03.2025, seeking bail in Crime No.148 of 2025 registered for the offence under Sections 296(b), 127(2), 115(2), 118(1) and 351(3) of BNS, 2023.

2.It is the case of the prosecution that due to previous enmity in respect of selling of a car, the petitioners along with the other accused had abused the defacto complainant in filthy language, assaulted him with plastic pipe and caused injuries and threatened him of dire consequences. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent; that the injured has been discharged from the hospital; and that the petitioners are in custody from 12.03.2025 and hence their further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact that the injured was discharged



from the hospital; and that the second petitioner has one previous case, the third petitioner has three previous cases and they are on bail in those cases and the first petitioner has no bad antecedents.

5.Considering the nature of allegations, period of incarceration, the fact that the injured has been discharged from the hospital, the fact that the petitioners 2 and 3 are on bail in the previous cases and the first petitioner has no bad antecedents and since their further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Udumalpet**, 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

WEB COPY

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

07.04.2025

ata



To

1.The Inspector of Police,
Udumalpet Police Station,
Thiruppur District.

2.Sub Jail, Udumalpet.

3.The Judicial Magistrate, Udumalpet.

2.The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY

Crl.OP.No.10365 of 2



SUNDER MOHAN, J.

ata

Crl.OP.No.10365 of 2025

07.04.2025