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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.11664 of 2025

1.Chinnasamy  
2.Srinivasan  
3.Appu @ Akash

...Petitioners/Accused 1 - 3

Vs.

State rep by  
The Inspector of Police,  
Deevattipatti Police Station,  
Salem District.

(Crime No.67 of 2025)

...

Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.67 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.C.Deepakkumar

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 10.02.2025, seeking bail in Crime No.67 of 2025 registered for the offence under Sections 126(2), 296(b), 109(1) and 103(1) of BNS, 2023.

2.It is the case of the prosecution that the defacto complainant is the mother of the first petitioner; that there was previous enmity between them in respect of property dispute; that on 09.02.2025 at about 18.15 hours, the petitioners went to Munirathinam quarry in which the defacto complainant and her husband were working and asked the defacto complainant's husband to quickly register the land in his favour; that when he refused the same, the accused had assaulted him with knife on his face and back; that when the defacto complainant intervened the quarrel, the accused abused her in filthy language, assaulted her with wooden logs and beer bottle and caused injuries to her, due to the said assault, the defacto complainant's husband died on the spot. Hence, the case.



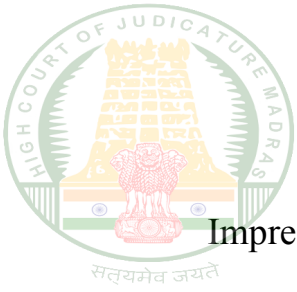
3.The learned counsel for the petitioners would submit that the petitioners are innocent; that the petitioners have no bad antecedents and that in any case, considering the period of incarceration, they may be released on bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that the petitioners have no bad antecedents.

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

6.Considering the period of incarceration, the fact that the petitioners have no bad antecedents and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7.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, Omalur**, 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;**

[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.

21.04.2025

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Copy to:

1.The Inspector of Police,  
Deevattipatti Police Station,  
Salem District.

2.The Judicial Magistrate, Omalur.

3.The Superintendent of Prison,  
Central Prison, Salem.

4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**

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