



Crl.O.P.No.10541 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10541 of 2025

Kavin

... Petitioner/A2

Vs.

The State represented by,
The Inspector of Police,
Yethapur Police Station,
Salem
(Crime No.81 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.81 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who were arrested and remanded to judicial custody on 17.02.2025, seeking bail in Crime No.81 of 2025 registered for the offence under Sections 296(b), 351(3) and 103(1) of BNS [294(b), 506(ii) and 302 of IPC].



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2. The case of the prosecution is that A1 is the husband of the deceased and the petitioner/A2 & A3 are their sons; that there was a frequent quarrel between the deceased and A1; that on the date of occurrence, accused attacked the deceased, as a result of which, deceased sustained injuries and died. It is further alleged that, the petitioner had attacked the deceased with wooden log. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false and in any case the petitioner is in custody from 17.02.2025; 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 opposed for grant of bail to the petitioner.

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.



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6. Considering the nature of allegations, that the overt act attributed to the petitioner; 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 No.I, Attur** 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 stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station 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;



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[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 No.I, Attur.
- 2.The Inspector of Police,
Yethapur Police Station,
Salem
3. The Superintendent,
Central Prison, Salem
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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