



WEB COPY



Crl.O.P.No.10870 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10870 of 2025

1. Prasanth @ Chinna Konai
2. Agilan @ Aatil

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
M-7, Manali New Town Police Station.
(Crime No.09 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.09 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : MrD.Dhanasekar

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 08.01.2025, seeking bail in Crime No.09 of 2025 registered for the offence under Sections 103 of BNS Act 2023 [IPC Section 302 of IPC]



Crl.O.P.No.10870 of 2025

WEB COPY

2. The case of the prosecution is that there is a previous enmity between the deceased and the sister of the petitioners (A1& A2), due to which, petitioners along with other accused in an inebriated condition assaulted the deceased with wooden log, as a result, the deceased sustained injuries and died on the spot.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the co-accused were granted bail by this Court and in any case, the petitioners are in custody from 08.01.2025 and since further custody is not required, the petitioners may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that investigation in this case has been completed and the final report was also been filed. He further confirmed the fact that the co-accused were granted bail by this Court.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



Crl.O.P.No.10870 of 2025

WEB COPY

6. Considering the nature of allegation; the period of incarceration; the fact that the co-accused were granted bail by this Court and since final report has been filed, further custody of the petitioners is not required, 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 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 **IV Additional District Judge, Tiruvallur @ Ponneri.**

[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 Trial Court, on all working day 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;



CrI.O.P.No.10870 of 2025

WEB COPY

[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.

15.04.2025

Sma
To

1. IV Additional District Judge,
Tiruvallur @ Ponneri.
2. The Inspector of Police,
M-7 Manali New Town Police Station.
3. The Superintendent,
Central Prison-II, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No.10870 of 2025

SUNDER MOHAN., J.

Sma

CrI.O.P.No.10870 of 2025

15.04.2025