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Crl.O.P.Nos.11103 & 11105 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.11103 & 11105 of 2025

1.Silambarasan

2.Kaviyarasan

... Petitioners in Crl.O.P.No.11103 of 2025/A1 & A2

Senthil

... Petitioner in Crl.O.P.No.11105 of 2025/A3

Vs.

The State represented by,
The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
Crime No.130 of 2025

... Respondent in both Crl.O.Ps

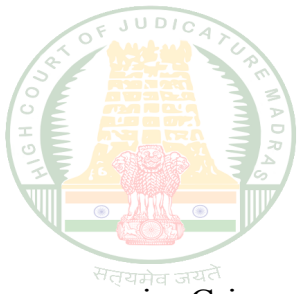
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.130 of 2025, pending investigation on the file of the respondent Police.

For Petitioners
in both Crl Ops : Mr.C.Munusamy

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

COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners, who were arrested and remanded to judicial custody on 17.02.2025, seeking bail



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in Crime No.130 of 2025 registered for the offence under Sections 296(b), 115(2), 18(1) and 103(1) of BNS, 2023.

2. The case of the prosecution is that there was a quarrel between the accused persons and one Elumalai near the tea shop; that when the deceased, who was also standing near the tea shop questioned the accused person; that enraged over the same, petitioners along with other accused attacked the deceased with knife, as a result of which, deceased sustained injuries and died on the spot. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons; that they have been falsely implicated in this case; that the petitioners are in custody from 17.02.2025; 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 the petitioners have other previous cases and in those cases, they are on bail.



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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.

6. Considering the nature of allegations against the petitioners; period of incarceration; the fact that the petitioners are on bail in other cases and since further custody 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 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, Ulundurpet.**

[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;



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[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.

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To
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1. Judicial Magistrate No.I, Ulundurpet.
2. The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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