



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.11554 of 2025

1.Anandan

2.Rakesh

...Petitioners/Accused 2 & 3

Vs.

State rep by
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram.

(Crime No.96 of 2025)

... Respondent

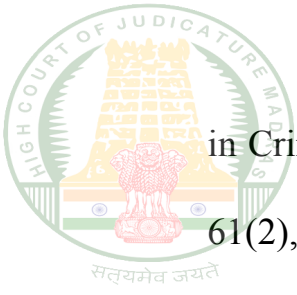
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.96 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.V.Premkumar

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 17.02.2025, seeking bail



in Crime No.96 of 2025 registered for the offence under Sections 109, 103, 61(2), 296(b) of BNS, 2023.

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2.It is the case of the prosecution that there was a previous enmity between the defacto complainant's son and the deceased; that on the date of occurrence, A1 along with the petitioners called the deceased to consume liquor; that at that time, the petitioners assaulted the deceased with hammer, as a result of which, the deceased sustained grievous injuries and died. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent; that the similarly placed co-accused was granted bail by this Court in CrI.O.P.No.9029 of 2025 on 08.04.2025; 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 confirmed the fact that the co-accused was granted bail by this Court and that the petitioners have no bad antecedents.



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

6.Considering the nature of allegations, the period of incarceration, the fact that the similarly placed co-accused was granted bail by this Court in CrI.O.P.No.9029 of 2025, 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 Court, Sriperumbudur**, 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;

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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.

21.04.2025

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Copy to:

1.The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram.

2.The Judicial Magistrate Court, Sriperumbudur.

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

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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