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Crl.O.P.No.12668 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.12668 of 2025

Karuppusamy

...Petitioner/Accused 2

Vs.

State rep by
The Inspector of Police,
Anaimalai Police Station,
Coimbatore District.

(Crime No.108 of 2025)

... Respondent

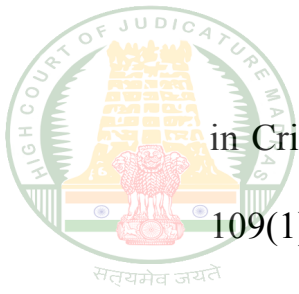
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.108 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.B.Kumarasamy

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 05.03.2025, seeking bail



in Crime No.108 of 2025 registered for the offence under Sections 296(b), 109(1), 115(2), 351(3), 238(b) of BNS, 2023 @ 296(b), 115(2), 351(3), 238(b), 103(1) of BNS, 2023.

2.It is the case of the prosecution that A1 and the petitioner were the employees of A3; that on the date of occurrence, there was a wordy quarrel between the deceased and the accused; that A1 and the petitioner had assaulted the deceased and caused injuries to him; that there were eye witnesses who informed A3 about the occurrence; that A3 told the eye witnesses not to disclose the occurrence to anyone; that A3 informed the family of the deceased that the deceased fell down from bike and sustained injuries; that after investigation, it came to light that the petitioner and A1 had committed murder of the deceased by using wooden logs. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the petitioner has no bad antecedents and that the petitioner is in custody from 05.03.2025 and hence, further custody of the petitioner is not required and sought for bail.



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4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that investigation is still pending and that the petitioner has no bad antecedents.

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

6.Considering the period of incarceration, nature of allegations, the fact that the petitioner has no bad antecedents and since further custody of the petitioner 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate No.1, Pollachi**, 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 report before the respondent police 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;

[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.

24.04.2025

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Copy to:

- 1.The Inspector of Police,
Anaimalai Police Station,
Coimbatore District.
- 2.The Judicial Magistrate No.1, Pollachi.
- 3.The Superintendent of Prison, Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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