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Crl.O.P.No.13626 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13626 of 2025

Anand

... Petitioner

Vs.

The State Rep. by
Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.
(Cr.No.40 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in Crime No.40 of 2024 on the file of the respondent.

For Petitioner : Mr.C.Deepakkumar

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 13.03.2024, for the offence punishable under Sections 147, 148, 120(b),
302 of IPC in Crime No.40 of 2024, registered on the file of the respondent,
seeks bail.



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2.The case of the prosecution is that the petitioner is arrayed as A5.

There was a civil dispute between the deceased and A1. While so, on 07.03.2024 at around 07.15 a.m., the petitioner along with other accused persons intercepted the deceased and attacked him with knife and sickle, thereby the deceased sustained grievous injuries and died on spot. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that petitioner is not involved in any other offence of a similar nature and the co-accused (A3) has been granted bail by this Court. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there are seven previous cases pending against the petitioner, out of which three cases have been disposed of.



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5. Heard both sides and perused the materials available on record.

6. In view of the fact that the co-accused (A3) has been granted bail by this Court and considering the period of incarceration already undergone by the petitioner and the progress 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal District Judge, Nagapattinam** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall reside at **Thanjavur, and report before the Town Police Station, Thanjavur, everyday at 10.30 am and 5.30 pm, for a period of two months, except on days when required to attend Court**



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proceedings. Any deviation from this condition shall result in the automatic cancellation of bail;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

01.08.2025

RAP



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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

RAP

To

1. The Principal District Judge, Nagapattinam
2. The Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.
3. The Central Prison, Salem
4. The Public Prosecutor,
High Court of Madras.

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