



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.13299 of 2025

R.Asaithambi

...Petitioner/Accused

Vs.

State rep by
The Station House Officer,
Kammapuram Police Station,
Vridhachalam Taluk,
Cuddalore District
(Crime No.52 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.52 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Sethuvarayar

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 12.04.2025, seeking bail



in Crime No.52 of 2025 registered for the offences under Sections 298 (b), 115 (2), 351 (3), 326 (g) of BNS r/w Section 4 of TNPHW Act, (295, 323, 506, 436 of I.P.C).

2.It is the case of the prosecution that on account of previous enmity, the petitioner had a wordy quarrel with the defacto complainant and attacked him. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner has lodged a complaint against the defacto complainant and others and a case in Crime No.53 of 2025 is pending and the instant complaint has been filed only as a counter to the said complaint and hence, he prays for the grant of bail.

4.The Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and confirmed the fact that there is a counter case.

5.Heard the learned counsels on either side and perused the materials



available on record.

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6.Considering the nature of allegations, the fact that there is a counter case and the period of incarceration, this Court is of the view that further custody of the petitioner is not required. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

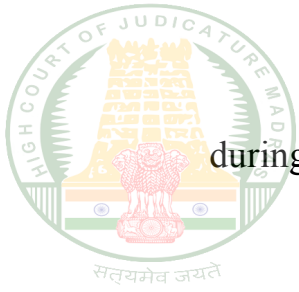
7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate II, Vridhachalam**, and on further conditions that:

[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;

WEB COPY [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.

29.04.2025

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Copy to:

- 1.The Station House Officer,
Kammapuram Police Station,
Vridhachalam Taluk,
Cuddalore District.
- 2.The Judicial Magistrate II, Vridhachalam.
- 3.Sub Jail, Vridhachalam, Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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