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Crl.OP.No.14026 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.OP.No.14026 of 2025

Nithishkumar

... Petitioner(s) /Accused - 4

Vs.

State represented by
The Inspector of Police,
Nallur Police Station,
Tiruppur District.
Crime No.142 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail in connection with Crime No.142 of 2025
on the file of the respondent police.

For petitioner(s) : Mr.K.Gopinath

For Respondent(s) : M/s.J.R.Archana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who
was arrested and remanded to judicial custody on 26.02.2025, seeking bail



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in Crime No.142 of 2025 registered for the offences under Sections 296(b), 115(1), 118(1), 232(1) and 351(3) of BNS, 2023 (under Sections 296, 323, 324, 192 and 506 of IPC).

2. It is the case of the prosecution is that, the petitioner along with the other accused attacked the defacto complainant using a bottle and a stone, and abused him in filthy language.

3. The learned counsel appearing for the petitioner submitted that the allegations are false and that in any case, further custody of the petitioner is not required and sought for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case, and on instructions, submitted that the injured has been treated as an out-patient and that the petitioner has no bad antecedents.



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5. Considering the nature of allegations, the fact that the injured has been treated as an out-patient, 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.

6. 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 IV Judicial Magistrate, Tiruppur**, 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., for a period of one month and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;



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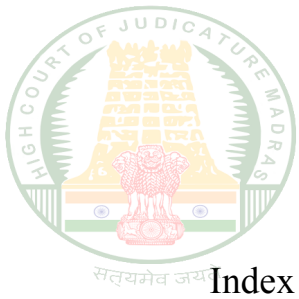


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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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.



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Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Internet: Yes/No

skr/dpa

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 official website of this court will be watermarked and will also have a QR code.**

To

1. The Inspector of Police,
Nallur Police Station,
Tiruppur District.
2. The Public Prosecutor,
Madras High Court, Chennai.
3. IV Judicial Magistrate, Tiruppur.
4. The Superintendent of Prison,
Sub-Jail, Tiruppur.



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L.VICTORIA GOWRI, J.

skr/dpa

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