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Crl.O.P.No.14958 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14958 of 2025

Dhanaprabhu

... Petitioner

-VS-

State of Rep. by,  
The Inspector of Police,  
Edappady Police Station,  
Salem.  
(Crime No.108 of 2025).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in  
Crime No.108 of 2025, on the file of the respondent police.

For Petitioner : Mr.L.Ramanathan

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

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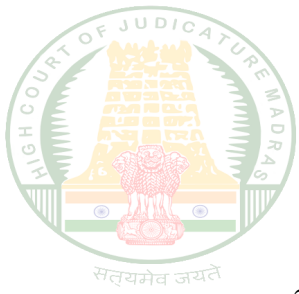
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**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 15.03.2025 for the offences punishable under Sections 296(6), 115(2), 118(1), 351(3) of BNS altered to Section 105(1) of BNS, in Crime No.108 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.03.2025 the respondent police has received an assault intimation from the Edappady Government Hospital about one Angamuthu. On receiving the intimation, the respondent has went to the said hospital to receive AR copy but the said Angamuthu was sent to Salem Government Hospital for treatment and he was in unconscious state. The respondent police obtained the report from the brother of the said Angamuthu, who is the defacto complainant herein. On 06.03.2025 the defacto complainant's mother was in house, one Eswaran and one Selladurai took the defacto complainant's brother Angamuthu to their house by two wheeler and told that Angamuthu was unconscious near Nesavalur Colony TASMACH shop. On 05.03.2025 he was near the TASMACH shop, the petitioner and another accused demanded money from him and quarreled with him and when he refused to give money, the accused abused him in filthy words and assaulted him with hands, legs and stone and also threatened him with dire consequences. Hence this case.



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3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submitted that in this case there was some wordy quarrel between the petitioner and the other accused. The petitioner was arrested by the respondent police on 20.03.2025, the defacto complainant was assaulted by the petitioner on 15.03.2025 and died on 19.03.2025. In this case, investigation almost completed and the charge sheet is yet to be filed. Hence, he opposed for granting bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered by the petitioner, 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 District*



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***Munsif cum Judicial Magistrate, Edappadi***, 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;

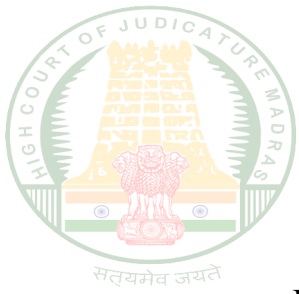
**[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;**

[c] the petitioner shall make herself 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



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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.

**14.05.2025**

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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.”

**To**

- 1.The learned District Munsif cum Judicial Magistrate,  
Edappadi.
- 2.The Inspector of Police,  
Edappady Police Station,  
Salem.
- 3.The Superintendent,  
Central Prison, Salem.
- 4.The Public Prosecutor,  
High Court of Madras.



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**M.NIRMAL KUMAR, J.**

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