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CrI.O.P.No.14941 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.14941 of 2025

Pappathi

... Petitioner/Accused 4

Versus

The State Rep by its
The Inspector of Police,
V.Kalathur Police Station,
Perambalur District.
(Crime No. 33 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in Crime No.33 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.Ilamurugu

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 20.04.2025, seeking bail in Crime



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No.33 of 2025 registered for the offence under Sections 295(b), 115(2), 118(1), 109 & 351(3) of BNS @ Section 296(b), 115(2), 118(1), 103 & 351(3) of BNS.

2. The case of the prosecution is that there was a property dispute between the defacto complainant and A1. On the date of occurrence, when the defacto complainant was at his residence, the petitioner along with other accused came there, picked up quarrel with him, and threatened him to vacate the premises. When he resisted, the petitioner along with other accused attacked the defacto complainant using their hands, iron rod and wooden logs which leads to the death of the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the the petitioner is innocent and he has been falsely implicated in this case. He would further submit that A1 and A2 have been granted bail by this Court. He also 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



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respondent police while opposing the grant of bail, reiterated the prosecution case and confirmed the fact that A1 and A2 have been released on bail. He also submitted that since the deceased died on 14.03.2025, the offences were altered to Section 296(b), 115(2), 118(1), 103 & 351(3) of BNS.

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

6. Considering the nature of allegations, the period of incarceration suffered by the petitioner, the fact that A1 and A2 have been released on bail, 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 her 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 Munsif cum Judicial Magistrate, Veppanathattai**, 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;



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[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 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.

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Note:

1. Registry is directed to forthwith upload this order in the official website of this Court.



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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,
Sipcot Police Station,
Thiruvallur District.

2.The District Munsif cum Judicial Magistrate,
Veppanathattai

3.The Superintendent,
Central Prison, Trichy.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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