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Crl.OP.No.15605 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

Crl.OP.No.15605 of 2025

Prabakaran ... Petitioner(s) /Accused

Vs.

State represented by the Inspector of Police,
M-5, Ennore Police Station,
Chennai. ... Respondent(s)/ Complainant
Crime No.155 of 2025

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in connection with Crime No.155 of 2025 on the file of the respondent police.

For petitioner(s) : Mr.B.S.Manikandan

For Respondent(s) : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 07.03.2025, seeking bail in Crime No.155 of 2025 registered for the offences under Section 103 of BNS.



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2. It is the case of the prosecution that the petitioner/ accused attacked the deceased with a knife, causing head injury, as a result of which the deceased died on the spot. The petitioner herein is the son of the deceased. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in custody from 07.03.2025, and that in any case, further custody of the petitioner is not required and prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case.

5. Heard learned counsel on either side and perused the materials available on record.



6. Considering the nature of allegation, period of incarceration, the fact that the petitioner is the son of the deceased, 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.

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 **Judicial Magistrate, Tiruvottiyur**, 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 jurisdictional **Judicial Magistrate from Monday to Friday at 10.30 a.m., and shall appear before the respondent Police on Saturday and Sunday 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;



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[e] On breach of any of the aforesaid conditions, the learned

Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

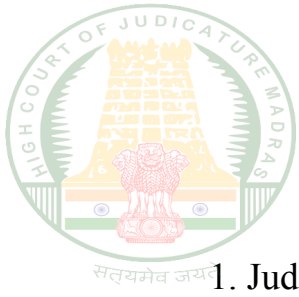
21.05.2025

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



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1. Judicial Magistrate, Tiruvottiyur.
2. The Superintendent of Prison,
Central Prison – II, Puzhal, Chennai.
3. Inspector of Police,
M-5, Ennore Police Station, Chennai.
4. The Public Prosecutor,
Madras High Court, Chennai.

N.SENTHILKUMAR, J.



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