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CrI.OP.No.15613 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

CrI.OP.No.15613 of 2025

Muthuvel

... Petitioner(s) /Accused

Vs.

State represented by the Station House Officer,
Portonovo Police Station,
Cuddalore District.
Crime No.100 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.100 of 2025 on the file of the respondent police.

For petitioner(s) : Mr.M.Ragul Kousik

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.04.2025, seeking bail in Crime No.100 of 2025 registered for the offences under Sections 296(b), 351(3), 109(1), 103 and 103(1) of BNS, 2023.



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2. The case of the prosecution is that, on account of prior enmity, the petitioner attacked the defacto complainant with a wooden log, resulting in the death of the defacto complainant. Hence, the case.

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 for the purpose of investigation 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.

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

6. Taking into consideration the facts and circumstances of the case, the period of incarceration, 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 **District Munsif cum Judicial Magistrate, Portonovo**, 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;

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



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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.**

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1. District Munsif cum Judicial Magistrate, Portonovo.
2. The Superintendent of Prison,
Central Prison, Cuddalore.
3. Station House Officer,
Portonovo Police Station,
Cuddalore District.
4. The Public Prosecutor,
Madras High Court, Chennai.



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N.SENTHILKUMAR, J.

skr/dpa

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