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CrI.O.P.No.16141 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.05.2025

CORAM

THE HON'BLE MRS. JUSTICE **K.GOVINDARAJAN THILAKAVADI**

CRL OP NO. 16141 of 2025

Vijaya

... Petitioner

Vs

The State Rep.by,

The Inspector of Police,
Puduchatram Police Station,

Namakkal District.

... Respondent

(Crime No.108 of 2025)

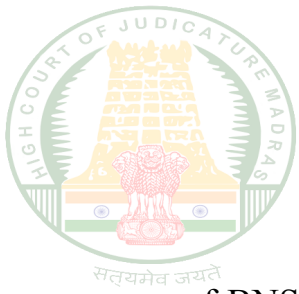
PRAYER: Criminal Original Petition filed under Sections 439 of Cr.P.C & 483 of B.N.S.S., pleased to enlarge the petitioner on bail, in Crime No.108 of 2025 on the file of the respondent Police.

For Petitioner : Mr. R.Suryakumaran

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.04.2025 for the alleged offences punishable under Sections 103, 238



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of BNS Act [302, 201 of IPC] in Crime No.108 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, petitioner along with other accused forcibly pushed the deceased, as a result of which, deceased sustained injuries and died. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 09.04.2025 and he is ready to abide by any conditions 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 respondent police while opposing to grant bail to the petitioner, reiterated the case of the prosecution.

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



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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering all others factors, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.15,000/- (Rupees fifteen Thousand only) with two sureties, each for a like sum to the satisfaction of the learned

Judicial Magistrate No.II, Namakkal and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the concerned Magistrate/Judge 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 daily at 10.30.a.m., for a period of two months and thereafter, as and when required;

[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 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.

28.05.2025

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



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To

- 1.The Judicial Magistrate No.II, Namakkal.
2. The Inspector of Police,
Puduchatram Police Station,
Namakkal District.
- 3.The Superintendent,
Women's Sub Jail, Salem.
- 4.The Public Prosecutor,
High Court of Madras.



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K.GOVINDARAJAN THILAKAVADI, J.

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