



Crl.O.P.No.16193 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 04.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16193 of 2025

Gowtham

...Petitioner

Vs.

State rep by
The Inspector of Police,
Malayampalayam Police Station,
Erode District.
(Crime No.110 of 2025)

...Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.110 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Prabakar

For Respondent :Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.05.2025, seeking bail in Crime No.110 of 2025 registered for the offence under Sections 61(2) & 326(g) of BNS,



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2. The case of the prosecution is that the petitioner along with other accused conspired together and dropped petrol filled bottles on the house of the defacto complainant and causing an explosion and damage to the property. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent, due to previous enmity, a false case has been foisted against the petitioner and no property was damaged. He would further submit that the petitioner is in custody from 17.05.2025 and the co-accused (A3) has already been granted anticipatory bail in C.M.P. No.1217 of 2025 dated 16.05.2205 by the learned Sessions Judge, Erode and hence, further custody is not required and sought for bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.



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

6. Considering the nature of allegations, the period incarceration and the fact that the co-accused has been granted anticipatory bail in C.M.P. No.1217 of 2025 dated 16.05.2025 by the Trial Court 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 learned **District Munsif cum Judicial Magistrate, Kodumudi, Erode**, 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 appear before the respondent Police**



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daily at 10.30 a.m., for a period of three weeks; thereafter as and when required for further interrogation;

[c] the petitioner shall make himself 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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Copy to:

- 1.The Inspector of Police,
Malayampalayam Police Station,
Erode District.
- 2.The District Munsif cum Judicial Magistrate, Kodumudi,
Erode.
- 3.The Superintendent of Prison,
Sub Jail, Erode.
- 4.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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