



Crl.O.P.No.16765 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16765 of 2025

1.Varun

2.Raghavendran

... Petitioner/A1 & A2

Vs.

State rep. by

The Inspector of Police,

Gurubarapalli Police Station,

Krishnagiri District.

Crime No. 150 of 2025.

... Respondent

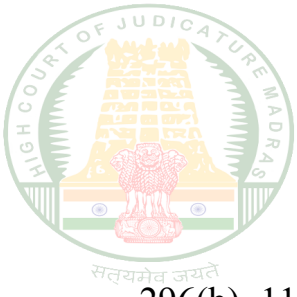
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail pending investigation in Crime No.150 of 2025 on the file of the Respondent police.

For Petitioner : Mr.J.Pradeep

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 08.05.2025, for the offence punishable under Sections 191(2), 191(3), 329(3),

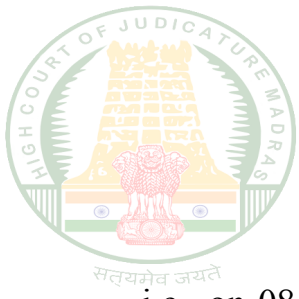


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296(b), 115(2), 109 of BNS Act and altered into Sections 191(2), 191(3), 329(3), 296(b), 115(2), 103 of BNS Act, in connection with Crime No.150 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the victim had morphed one Jayamani's photo and sent the same to several persons. Hence, the petitioners along with other accused trespassed into the defacto complainant's house and attacked the victim/defacto complainant's son with deadly weapons, as a result of which, the victim sustained severe injuries and later he died. Hence, the case.

3.The contention of the learned counsel for petitioner is that the deceased Praphu in this case morphed photographs of one Jayamani and sent the photographs to several persons, which was questioned by Grama Sabha and on 07.05.2025 at about 3.00 p.m., the petitioners along with five others entered the house of the deceased and questioned the deceased about this Act. At that time, the deceased took a knife, attacked A2/second petitioner, who sustained injury on his thigh. Thereafter enraged over the same, A1/first petitioner said to have punched the victim near his eyes and assaulted the victim with his hands and legs. Later, the victim was taken to the hospital and took treatment. On the next day,



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i.e., on 08.05.2025 at about 11.00 p.m. the victim died and thereafter the section was altered. The further contention of the petitioner is that the petitioner not used any weapons. It was the deceased, who was the aggressor, attacked A2 with knife and also inflicted cut injury. The petitioner only defended the attack of the deceased. He further submitted that the co-accused/A3 was granted bail by this Court in Crl.O.P.No.17087 of 2025 on 16.06.2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that in this case A7 is still absconding, major portion of the investigation is already completed. He further submitted that the co-accused/A3 was granted bail by this Court in Crl.O.P.No.17087 of 2025 on 16.06.2025.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the fact that the co-accused/A3



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was already granted bail by this Court in Crl.O.P.No.17087 of 2025 on 16.06.2025., this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 **Judicial Magistrate No.II, Krishnagiri**, 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 petitioners 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 petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioners to give an undertaking that if



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required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they 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 petitioners in accordance with law as if the aforementioned 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)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.
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 the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.II,
Krishnagiri.

2.The Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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