



CrI.O.P.No.17241 of 2025

WEB COPY

CrI.O.P.No.17241 of 2025

M.NIRMAL KUMAR,J.

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that the Crime No.170 of 2025 was registered against the petitioner for the offences under Sections **75(1)(i) of BNS** and Section 4 of TNPHW Act and the petitioner filed bail application for the said offences and this Court by an order dated 16.06.2025, has granted bail to the petitioner in CrI.O.P.No.17241 of 2025, however, the lower Court had not accepted the sureties and returned the same for the reason that **Section 75(1)(i) of BNS** is a definition clause and only **Section 75(2) of BNS** is a penal clause. Hence, he prayed for suitable directions.

3. In the said circumstances, this Court is of the view of that, despite this Court on 16.06.2025 had granted bail to the petitioner, the Lower Court in an irresponsible manner, by interpreting the High Court's order had detained the petitioner by not accepting the sureties for the reason that **Section 75(1)(i) of BNS** is a definition clause and only **Section 75(2) of**



WEB COPY



CrI.O.P.No.17241 of 2025

M.NIRMAL KUMAR,J.

sma

BNS is a penal clause, which is not appropriate. Therefore, this Court directs the Lower Court to accept the sureties furnished by the petitioner and to pass orders for immediate release of the petitioner in accordance with law.

20.06.2025

Sma

CrI.O.P.No.17241 of 2025