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Crl.O.P.No.18184 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18184 of 2025

Pramod Kumar Malik

... Petitioner/Accused

Vs.

State Rep. By
The Inspector of Police,
Katpadi Police Station,
Vellore District.
(Crime No.162 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.162 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Thirugnanam

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.05.2025, for the offence punishable under Section 103(1) of BNS, 2023 in connection with Crime No.162 of 2025, registered on the file of the



Crl.O.P.No.18184 of 2025

respondent, seeks bail.

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2.The case of the prosecution is that the de-facto complainant/VAO received information that an unidentified male body is lying near the railway track at Vadukankuttai. On identification by the Manager of Sham Textiles, it was found that the deceased is one Balabathradhal, who is employed in Sham Textiles. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected in the alleged offence. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) strongly opposed for granting bail to the petitioner submitting that the deceased and the petitioner belong to the State of Odisha. They were employed in the same place in Sham Textiles. The petitioner borrowed a sum of Rs.500/- from the deceased and promised to repay the same in the evening itself. But the



CrI.O.P.No.18184 of 2025

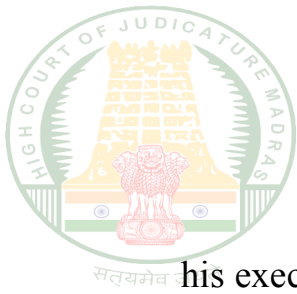
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petitioner failed to repay the amount. The petitioner informed the deceased that he sent Rs.400/- to his sister for her urgent needs, for which, the deceased abused the petitioner's sister with filthy language, whereby a quarrel arose and the petitioner assaulted the deceased using stone.

5. Heard the learned counsel appearing on both sides.

6. Considering the submissions made on either side and on perusal of the material, it is seen that the petitioner and deceased hailing from the State of Odisha and they were working in the same place in a Textile shop. The petitioner borrowed a sum of Rs.500/- and failed to repay the same. The petitioner informed the deceased that he sent Rs.400/- to his sister for her urgent needs, for which, the deceased abused his sister in a filthy language, whereby a quarrel arose and the petitioner assaulted the deceased with stone. Considering the facts and circumstances of the case, 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



CrI.O.P.No.18184 of 2025

WEB COPY

his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties, of whom, one surety should be a local surety**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Katpadi, Vellore District** 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 report before the respondent police everyday at 10.30 a.m. until further orders;

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

[d] 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;

[e] 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



CrI.O.P.No.18184 of 2025

WEB COPY

P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

08.07.2025

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

To

1.The Judicial Magistrate,
Katpadi, Vellore District.

2.The Inspector of Police,
Katpadi Police Station,
Vellore District.

3.The Superintendent,
Central Prison, Vellore.

4.The Public Prosecutor,
High Court of Madras.

5/6



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Crl.O.P.No.18184 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.18184 of 2025

08.07.2025