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CRL OP No. 18259 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18259 of 2025

1. Nagaraj @ Appu

2. Tamilarasan

Petitioner(s)

Vs

The State Rep. by the Inspector of
Police,
Palacode Police Station, Palacode,
Dharmapuri District.
(Cr.No.104 of 2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioners herein on bail in Crime.No.104 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.R.Thamaraiselvan

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor

**ORDER**

WEB COPY The petitioners, who were arrested and remanded to judicial custody on 11.04.2025, for the offence punishable under Sections 61(2), 103 read with Section 49 of BNS in connection with Crime No.104 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the defacto complainant is the mother of the deceased Kumar. A1 is the 2nd wife of the deceased and on knowing that A1 & A2 were in illegal relationship, the deceased warned A1 and hence, A1 deserted the deceased and was separately living in her sister's house, while so on 09.04.2025, at about 09.04.2025 at about 06.00 a.m., when A1 went to the deceased's house and found that the deceased died on the cot with strangulation injuries on his right hand and right leg. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. The learned counsel further submitted that the petitioners are suffering



incarceration from 11.04.2025 and they are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

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4. Learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioners.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners 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, Palacode and on further conditions that:

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

[c] the petitioners shall make himself 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 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

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be registered under Section 269 of B.N.S.

25-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
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1. The Inspector of Police,
Palacode Police Station, Palacode,
Dharmapuri District.

2. The Judicial Magistrate,
Palacode.
3. The District Prison, Dharmapuri.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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