



Crl.O.P.No.19239 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19239 of 2025

1.S.Ramachandran
2.P.Radhakrishnan

... Petitioners/A4 & A5

Vs.

State Rep. By
The Inspector of Police,
Yethappur Police Station,
Salem District.
(Crime No.273 of 2025)

... Respondent

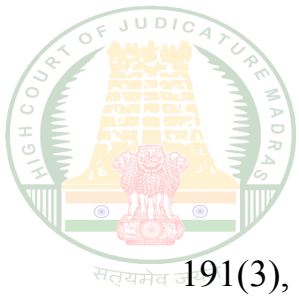
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.273 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Rajakumar

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 08.06.2025, for the offences punishable under Sections 191(2),



Crl.O.P.No.19239 of 2025

WEB COPY

191(3), 296(b), 140(1), 127, 115(1), 118(1), 109(1) of BNS, 2023 and Section 4 of TNPHW Act and subsequently altered to Section 191(2), 191(3), 296(b), 140(1), 127, 115(1), 118(1), 109(1), 270 and 351(3) of BNS, 2023 and Section 4 of TNPHW Act in connection with Crime No.273 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that on the date of occurrence, the de-facto complainant and her friend were going by walk, at that time, A1 and other three accused, who came in an Auto, tapped the left shoulder of the de-facto complainant and the said act was questioned by the de-facto complainant, for which, A1 abused the de-facto complainant with filthy words. When this was questioned by the brother of the de-facto complainant, the petitioners and other accused assaulted the de-facto complainant's brother and his friend, thereby, they sustained injury. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged offence. He further submitted that the injured have been discharged from the hospital. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and he prays



Crl.O.P.No.19239 of 2025

to grant bail to the petitioners.

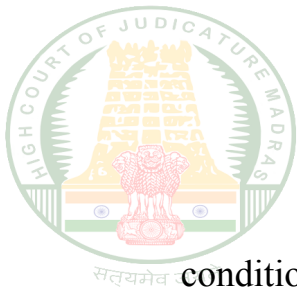
WEB COPY

4. Learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of bail to the petitioners reiterated the prosecution case and submitted that in this case there are 7 accused and others. Now A1 to A7 arrested. He further submitted that the injured have been discharged from the hospital.

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

6. Considering the submissions made and the period of incarceration undergone by the petitioners and the fact that injured have been discharged from the hospital, 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 separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Attur**, and on further



Crl.O.P.No.19239 of 2025

conditions that:
WEB COPY

[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. till the charge sheet is filed;

[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 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



WEB COPY



Crl.O.P.No.19239 of 2025

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.

07.07.2025

rsi

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.



WEB COPY



Crl.O.P.No.19239 of 2025

M.NIRMAL KUMAR, J.

rsi

To

1.The Judicial Magistrate No.I,
Attur.

2.The Inspector of Police,
Yethappur Police Station,
Salem District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.19239 of 2025

07.07.2025