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Crl.O.P.No.19228 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.19228 of 2025

Sathish

... Petitioner/A2

Vs.

State Rep. By  
The Sub Inspector of Police,  
Yelagiri Police Station,  
Tiruppur District.  
(Crime No.07 of 2025)

... Respondent

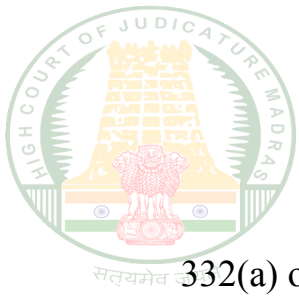
**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending  
investigation in P.R.C. No.39 of 2025 before the learned Judicial Magistrate  
No.III, Tirupattur.

For Petitioner : Mr.B.Gopalakrishnan

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

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 03.03.2025, for the offences punishable under Sections 103(1), 309(4),



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332(a) of BNS in connection with Crime No.07 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that the de-facto complainant's mother found dead in her house with blood injury in her ears and the jewels worn by her was found missing. Hence, the case.

3. The contention of the learned counsel for petitioner is that the petitioner/A2 in PRC No.39 of 2025 was arrested by the respondent on 03.03.2025. The petitioner and his father are facing trial as though the petitioner and his father committed murder of their relative, a old lady and from her house they robbed TV, gold ear rings, ring, anklets and nose stud of the deceased. The further contention of the learned counsel for petitioner is that the petitioner has been falsely implicated in this case. The petitioner has got no previous cases. The petitioner was arrested based on the Tower location and some recovery. There is no recovery from the petitioner. The petitioner is a coolie. He further submitted that in this case now investigation completed. Hence, he prayed to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) strongly



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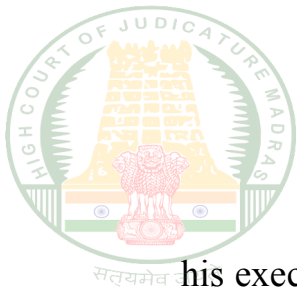
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opposed for granting bail to the petitioner submitting that the petitioner is A2 and his father is A1. Both of them kept a watch over the deceased, who was living alone and entered the house of the deceased. The petitioner covered the face of the deceased and his father committed murder and thereafter they committed robbery of valuables, including TV, gold ear rings, ring, anklets and nose stud of the deceased. Thereafter the petitioners were arrested, from them recovery has been made. He further submitted that in this case investigation completed, charge sheet filed in S.C.No.44 of 2025 before the learned Principal District Judge, Tirupattur. He further submitted that the petitioner has got no previous case.

5.Heard the learned counsel appearing on both sides.

6.Considering the submissions made on either side, the period of incarceration undergone by the petitioner and the fact that investigation in this case completed and charge sheet filed in S.C.No.44 of 2025, 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



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his executing a 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.III, Tirupattur** 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 appear before the trial Court on all hearing dates without fail;**

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



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[f] If the accused thereafter absconds, a fresh FIR

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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.

To

1.The Judicial Magistrate No.III,  
Tirupattur.

2.The Sub Inspector of Police,  
Yelagiri Police Station,  
Tiruppur District.

3.The Superintendent,  
Central Prison, Vellore.

4.The Public Prosecutor,  
High Court of Madras.



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**M.NIRMAL KUMAR, J.**

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