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CRL OP No. 19746 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 19746 of 2025

Athiseshan

Petitioner

Vs

The State by,

The Station House Officer,

Pudupettai, Cuddalore District.

Cr.No.166/2025.

Respondent

PRAYER This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Cr.No.166/2025 pending on the file of respondent police.

For Petitioner: Mr.M.Manimaran

For Respondent: Mr.R.Vinothraja, GA (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.05.2025, for the offences punishable under Sections 125(a) of BNS & Section 135(1)(e) of Electricity Act 2003 in connection with Crime No.166 of



2025, registered on the file of the respondent, seeks bail.

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2. The case of the prosecution is that the accused illegally erected an electric fence in a sugarcane field resulting in the electrocution and injury of the defacto complainant's father, who was unaware of the live fence. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The learned counsel further submitted that the petitioner is suffering incarceration from 30.05.2025, and on instructions, he further submits that the petitioner, without prejudice to his right, is ready to deposit a sum of Rs.50,000/- to the Credit of Crime No. 166 of 2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the case is under investigation, at this stage, if the petitioner is released on bail, there are every possibilities for tampering the witnesses and hampering the investigation,



thereby, he strongly opposed to grant bail to the petitioner.

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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 petitioner, 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 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 II Panruti** 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;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner is directed to deposit a sum of Rs.50,000/-(Rupees Fifty Thousand Only) to the credit of Crime No.166 of 2025 without prejudice to his rights, and produce the receipt before the concerned Magistrate while executing the sureties. On such deposit, the defacto complainant is permitted to withdraw the above said amount by filing an undertaking affidavit before the concerned Magistrate.

[e]the petitioner shall make himself available for interrogation by a Police Officer as and when required;

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

[g] 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;

[h] 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];

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

11-07-2025

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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.



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- 1.The State by, The Station House
Officer,
Pudupettai, Cuddalore District.
- 2.The Judicial Magistrate II,
Panruti.
- 3.The Sub-Jail, Panruti.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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