



Crl.O.P.No.20179 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20179 of 2025

1.R.Sowntharajan
2.R.Rajkumar
3.S.Raji

... Petitioners/A1 to A3

Vs.

State Rep. By
Station House Officer,
Moongil Thuraipattu Police Station,
Kallakurichi District.
(Crime No.84 of 2025)

... Respondent

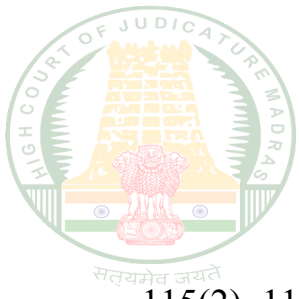
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending investigation in Crime No.84 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Esakkimuthu

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 06.07.2025, for the offences punishable under Sections 191(2), 191(3), 296(b),



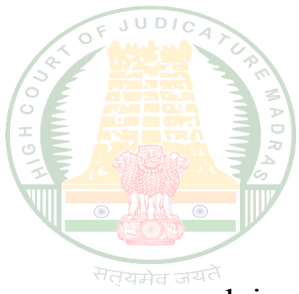
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115(2), 118(1), 351(3) and 109(1) of BNS, 2023 in connection with Crime No.84 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the de-facto complainant and the petitioners are close relatives. There has been a property dispute between the de-facto complainant's family and the petitioner's family, due to which, on the date of occurrence a wordy quarrel arose between them, which ended in scuffle, thereby the de-facto complainant's husband 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 a case in counter in Crime No.85 of 2025 was registered against the de-facto complainant's husband. He further submitted that the injured has been discharged from the hospital. Hence, he prays to grant bail to the petitioners.

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 due to property dispute between the de-facto



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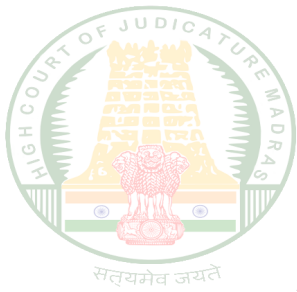
complainant's family and the petitioner's family, the petitioners attacked the de-facto complainant's husband, thereby he sustained injury. He further submitted that a case in counter in Crime No.85 of 2025 was registered against the de-facto complainant's husband. He further submitted that the injured has been discharged from the hospital.

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

6. Considering the submissions made, the period of incarceration undergone by the petitioners and it is a case in counter, 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 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, Sankarapuram, Kallakurichi District**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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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. for a period of three weeks, thereafter as and when required for interrogation;

[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 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]**;



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[g] If the accused thereafter absconds, a fresh FIR
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,
Sankarapuram, Kallakurichi District.

2.Station House Officer,
Moongil Thuraipattu Police Station,
Kallakurichi District.

3.The Superintendent,
Central Prison, Cuddalore.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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