



Crl. O.P. No. 21016 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl. O.P. No. 21016 of 2025

1.Balakrishnan
2.Balaji

... Petitioners/Accused

Vs.

State rep., by
The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
(Crime No. 161 of 2025)

... Respondent

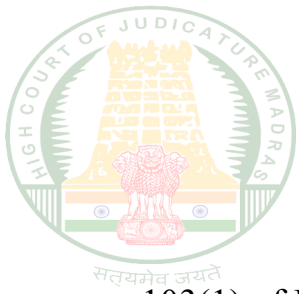
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners/accused 1 & 2 on bail in Crime No.161 of 2025 pending on the file of the Inspector of Police Thirumanur Police Station, Ariyalur District.

For Petitioners : Mr. M. Vimal Bobby Crimson

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 01.07.2025, for the offence punishable under Sections 296(b), 115(2), 127(2) &



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103(1) of BNS, 2023 in connection with Crime No.161 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the petitioners / A1 and A2 are father and son, they are running grocery shop. The deceased had come to the petitioners shop and took the second petitioner's 4 year child and behaved with the child in a inappropriate manner. Hence, the petitioners have questioned the same and stabbed the deceased. Hence, the case.

3. The contention of the learned counsel for the petitioners is that the petitioners are running grocery shop and A2's son who is 4 year old was taken by the deceased and misbehaved with the child and there was a wordy quarrel. In a fit of rage, it was the deceased who had taken the knife to attack the petitioners and in the middle, the deceased sustained injuries at later time.

4. Learned Government Advocate submitted that the deceased had come to the grocery shop of the petitioners, at that time, there was a wordy quarrel with regard to deceased misbehaved with the second petitioner's child of 4 years. The first petitioner got hold the second petitioner and the second petitioner



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took a knife and stabbed the deceased and the petitioners have fled from the scene of occurrence and thereafter with the help of the others, the deceased was taken to the hospital, on the way he succumbed.

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 considering 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 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 Court No. II, Ariyalur District** 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 petitioners shall report before the respondent police at 10.30 am for a period of three weeks



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and 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, she 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];

[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 learned Judicial Magistrate Court No. II, Ariyalur District.
2. The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
3. The Superintendent,
Central Prison, Trichy.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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