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Crl.O.P.Nos.21153 & 21197 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.21153 & 21197 of 2025

Jayabalan ... Petitioners in Crl.O.P.No.21153 of 2025
Gopi @ Saravanan ... Petitioners in Crl.O.P.No.21197 of 2025

Vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.
S.C.No.59 of 2025
(Cr.No.50 of 2025)

... Respondent

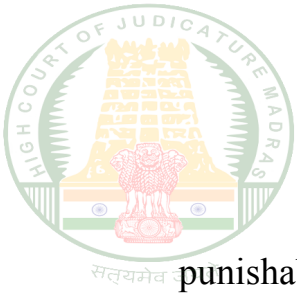
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in
S.C.No.59 of 2025 on the file of the learned District and Sessions Judge,
Nagapattinam.

For Petitioners : M/s.J.Jawahar

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

ORDER

The petitioners who were arrested and remanded to judicial
custody on 14.03.2025, seeks bail in S.C.No.59 of 2025 for the offence



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punishable under Sections 296(b), 351(3), 103(1) and 3(5) of BNS, 2023 in connection with Crime No.243 of 2013, registered on the file of the respondent.

2. The case of the prosecution is that the petitioners were driving his vehicle in a rash and negligent manner and dashed the motor cycle of the deceased, for which, the deceased had questioned the petitioners and there arose a push and pull, due to which, petitioners attacked the deceased with concrete stone, due to which, deceased sustained injuries and died. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

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



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5. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 **District and Sessions Judge, Nagapattinam**, 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 trial Court on all hearing dates without fail;**

[c] the petitioners shall make himself 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;



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[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, he 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.District and Sessions Judge, Nagapattinam.
- 2.The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.
- 3.The Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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