



Crl. O.P. No. 21105 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. 21105 of 2025

R. Sathiyamoorthi

... Petitioner/Accused

Vs.

The State rep., by
The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram District.
(Crime No. 272 of 2025)

... Respondent

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

For Petitioner : Mr. A. Saranraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
02.07.2025, for the offence punishable under Sections 296(b), 115(2), 118(1),
351(3), 105 of BNS in connection with Crime No.272 of 2025, registered on the
file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner had called the deceased for having alcohol, there arose a wordy quarrel between them. During which, the petitioner had pushed the deceased down. Thereafter, he succumbed to the injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is no way connected with the alleged offence, however, he is suffering incarceration from 02.07.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 02.07.2025.

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

6. Considering the facts and circumstances of the case, it is seen that the petitioner had called the deceased for having alcohol with the deceased. Thereafter, there was a wordy quarrel and the petitioner had pushed the deceased down and the deceased sustained injuries. Thereafter, the deceased was taken to hospital and died three days thereafter.



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7. Considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 No.II, Kanchipuram** 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 report before the respondent police at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

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

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

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation



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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 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]**;

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

28.07.2025

AT

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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M.NIRMAL KUMAR, J.

AT

To

1.The learned Judicial Magistrate No.II, Kanchipuram.

2.The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram District.

3. The Superintendent,
Central Prison, Vellore.

4. The Public Prosecutor,
High Court, Madras.

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