



Crl.O.P.No.21902 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21902 of 2025

1. Easwaran

2. Settu @ Palanisamy

... Petitioners

Vs.

The State by,
The Inspector of Police,
Tharamangalam Police Station,
Salem District.
(Crime No.399 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.399 of 2025 pending investigation on the file of the respondent Police.

For Petitioners : Mr.M.Sivakumar

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.07.2025, for the offences under Sections 296(b), 109 & 54 of BNS, in Crime No.399 of 2025, on the file of the respondent, seek bail.



Crl.O.P.No.21902 of 2025

WEB COPY

2. The case of the prosecution is that due to the existing money dispute, the accused abused the de facto complainant in filthy language and assaulted him with knife. Hence the case

3. The contention of the learned counsel appearing for the petitioners is that the petitioners are innocent and have been falsely implicated in this case. He further submitted that only the de facto complainant had picked up a quarrel with the petitioners, however, lodged a false complaint against the petitioners. Hence, he prayed for the grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioners. He further submitted that the injured has been discharged from the hospital and there is no previous case against the petitioners.

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

6. Considering the facts and circumstances of the case, the nature of allegation against the petitioners and taking note of 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 each for a sum of **Rs.10,000/- (Rupees Ten**



Crl.O.P.No.21902 of 2025

Thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Omalur**, 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 everyday at 10.30 a.m., for a period of two weeks 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, 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]**;



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Crl.O.P.No.21902 of 2025

M.NIRMAL KUMAR, J.

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

06.08.2025

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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.

To

1. The Judicial Magistrate, Omalur.
2. The Inspector of Police,
Tharamangalam Police Station,
Salem District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.21902 of 2025