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Crl.O.P.No.22075 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.22075 of 2025

Arun Kumar

... Petitioner/A3

Vs.

The State Represented by
The Sub Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
(Crime No.134 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
connection with Crime No.134 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 07.07.2025, for the offence punishable under Sections 296(b), 115(2),
118(1),109(1), 351(3) of BNS @ 103 of BNS, in Crime No.134 of 2025,
registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that, in continuation of the quarrel near the bus stop on 06.07.2025, the petitioner along with three other accused persons went to the house of the de-facto complainant and attacked her son with a weapon, causing his accidental death. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that it was a sudden quarrel which led to the incident. However, the F.I.R. indicates that the incident at the bus stop took place on 05.07.2025 at 07.30 p.m., whereas the brutal attack on the deceased Rahul occurred the next day at 3.45 p.m., and moreover, the place of occurrence was also different. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the accused persons went to the house of the deceased with a clear intention to cause injury and had attacked him on the vital part of the body using a weapon. Hence, he opposed the grant of bail to the petitioner.

5. Per contra, the learned counsel appearing for the petitioner submitted that the injury caused by the petitioner using a block stone was not on a vital part.



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6. On perusal of the post-mortem report, this Court finds that the cause of death is due to shock and haemorrhage caused by an injury to the head. This injury is attributed to one Vijayakumar, who is shown as A1.

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

8. In the said circumstances, taking note of the fact that the petitioner has been in prison for 52 days, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail on his executing a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Chengam**, 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 appear before the respondent Police daily at 10.30 a.m., until further orders;**



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[c] 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]**;

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

01.09.2025

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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, Chengam.
- 2.The Sub Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
- 3.The Superintendent, Central Prison, Vellore.
- 4.The Public Prosecutor, High Court of Madras.



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Dr.G.JAYACHANDRAN, J.,

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