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CrI.O.P.No.22566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.22566 of 2025

Krishnamoorthy @ Kichha

... Petitioner

Vs.

The State represented by its
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai - 600 094
(Crime No.381 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.381 of 2025 on the file of the respondent Police.

For Petitioner : Mr.A.Sivapandi

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.07.2025, for the alleged offence under Sections 296 (b), 118 (1), 109 and 351
(3) of BNSS Act, 2023 in Crime No.381 of 2025, registered on the file of the
respondent, seeks bail.



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2.As per the First Information Report, the case of the prosecution is that on 19.07.2025 at about 1.30 p.m. there was a wordy quarrel between the defacto-complainant and the petitioner who was present along with his friend Shiva. In the course of the quarrel, this petitioner and the co-accused had attacked the defacto-complainant causing injury.

3.The learned counsel for the petitioner submits that the co-accused has already been granted bail by this Court. He further submits that the injured person was treated only as out patient. Hence, prays for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal side) appearing for the respondent Police states that the petitioner is having eight previous cases and if he released on bail, he may indulge in similar offence. Hence, strongly opposed for grant of bail to the petitioner.

5.Heard the learned counsels on either side and perused the materials on record.



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6.Considering the fact that the wordy quarrel has surfaced among the friends and injury caused is simple in nature and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 **X Metropolitan Magistrate, Egmore**, 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 twice daily morning at 10.00 a.m. and evening at 5.00 p.m. until further orders;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance



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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]**;

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

13.08.2025

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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.



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To

1. X Metropolitan Magistrate, Egmore.
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai - 600 094
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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