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Crl.O.P.No.22776 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.08.2025

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22776 of 2025

Vinayagam

... Petitioner

-VS-

The state rep by its
The Sub- Inspector of Police
Gudiyatham Taluk Police Station
Vellore District.

Crime No.160 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.
160 of 2025 on the file of the respondent police.

For Petitioner	: Mr.K.Sathish Kumar
For Respondent	: Mr.L.Baskaran
	Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.07.2025, for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS Act, 2023 (294(b), 324, 506 of IPC) and altered to 296(b), 103 of BNS Act, 2023 (294(b), 302 of IPC) in connection with Crime No. 160 of 2025, registered on the file of the respondent, seeks bail.



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2. Due to property dispute, the petitioner herein, who is the paternal uncle of the deceased Ramesh, had attacked the deceased with spade causing cut injuries on the neck. The injured was taken to the hospital immediately and he died after four days. Hence, the charges has been altered from 296(b), 118(1), 351(3) of BNS Act, 2023 to 296(b), 103 of BNS Act, 2023.

3. Learned counsel appearing for the petitioner states that while irrigating the land, there was a dispute between the deceased and the petitioner herein. Due to sudden fight arose, he has hurt the deceased with the spade. The injured person died only after four days and it was a single cut injury. The petitioner, being 80 year old man, seeks bail and undertake to abide by conditions.

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

5. Considering the facts and circumstances of the case, nature of occurrence, this Court is inclined to grant bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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, Gudiyatham, Vellore District** 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 stay at Tiruvannamalai and report before the Tiruvannamalai Town police station daily at 10.30 a.m for a period of 30 days and thereafter, report before the respondent police daily at 10.30 a.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 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

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can be registered under Section 269 of B.N.S.

25.08.2025

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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,
Gudiyatham, Vellore District.
2. The Sub- Inspector of Police
Gudiyatham Taluk Police Station
Vellore District.
3. The Superintendent,
Central Prison, Vellore District.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police
Thiruvannamalai Town Police Station.



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Dr.G.JAYACHANDRAN, J.

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