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Crl.O.P.No.23533 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

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

Crl.O.P.No.23533 of 2025

Gajendhiran

... Petitioner

Vs.

The State Rep. by:
The Inspector of Police,
Papparapatti Police Station,
Dharmapuri District.
(Crime No.104 of 2025)

... Respondent

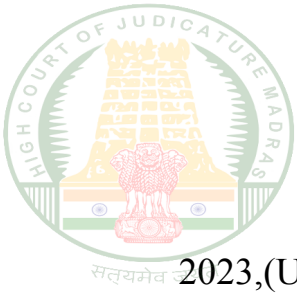
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge this petitioner on bail concerned in P.R.C.No.14 of 2025 pending trial of the learned Judicial Magistrate Court, Pennagaram.

For Petitioner : Mr.M.Sivakumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.05.2025, for the offence punishable under Section 103(1) of BNS,



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2023,(U/s.302 IPC) in Crime No.104 of 2025, registered on the file of the
respondent, seeks bail.

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2. On the basis of the complaint lodged by the brother of the deceased, it is alleged that the accused had illicit intimacy with the wife of the deceased, which led to the murder.

3. The learned counsel appearing for the petitioner submitted that the wife of the deceased had already deserted him 13 years ago and this petitioner was falsely arrested on suspicion. He further submitted that the investigation has been completed and the final report has been filed.

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

5. Considering the fact that the investigation has been completed and the case is not at the P.R.C., stage, this Court is inclined to grant bail to the petitioner, subject to 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



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the learned **Judicial Magistrate Court, Pennagaram** 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 Judicial Magistrate once every month till the case is committed to the Sessions Court, without fail;

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

25.08.2025

Dr.G.JAYACHANDRAN, J.



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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 Court, Pennagaram.
- 2.The Inspector of Police,
Papparapatti Police Station,
Dharmapuri District.
- 3.Central Jail, Dharmapuri.
- 4.The Public Prosecutor,
High Court of Madras.

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