



WEB COPY

Crl.O.P.No.23524 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.23524 of 2025

Jayakumar

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Thiruvalam Police Station,
Vellore District.
(Crime No.67 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail in Crime No.67 of 2025 (on the file of the Thiruvalam Police Station, Vellore District) pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Sarath Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.07.2025, for the offence punishable under Sections 103(1) of BNS,2023 and subsequently the case was altered in Sections 103(1), 238(a), 3(5), 61(2) of BNS 2023, in Crime No.67 of 2025, registered on the file of the respondent, seeks bail.



2. The case of the prosecution is that the deceased, who was confined in prison in connection with a murder case, after being released on bail, went to his paramour's house and quarrelled with her for not visiting him in prison. He also demanded the return of Rs.3,00,000/- which he had given to her during their relationship. This led to a conspiracy between the first accused, her son, and the present petitioner to murder the deceased. Accordingly, on 12.05.2025, the deceased Iyappan was done to death. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged offence. He further submitted that the prime accused A1 and A2 were already granted bail on 01.07.2025. The present petitioner, who was secured on 25.07.2025, was implicated solely on the basis of the statement of the co-accused, and there is no overt act attributed against him.

4. The learned Government Advocate (Crl. Side) submitted that on completion of investigation, a final report was filed before the learned Judicial Magistrate on 30.07.2025, and the case is now at the P.R.C stage, yet to be committed. He further submitted that the cash has not yet recovered. Therefore, he opposed the grant of bail to the petitioner.



WEB COPY



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

6. This Court, on taking note of the fact that the investigation has been completed and that custodial interrogation of the petitioner is not required, is inclined to grant bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on their 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, Katpadi**, 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 Trial Court on all hearing dates without fail;**

[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



WEB COPY

CrI.O.P.No.23524 of 20



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

nvi

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, Katpadi, Vellore District
- 2.The Inspector of Police,
Thiruvalam Police Station,
Vellore District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.23524 of 2025

Dr.G.JAYACHANDRAN, J.,

nvi

Crl.O.P.No.23524 of 2025

01.09.2025