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CRL OP No. 24403 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24403 of 2025

1. Sundu @ Suriyaprakash
S/o.Rajendran, Annai Indira
Street,Tharangapadi, Mayiladuthurai
District and another

2. Mugilan
S/o.Sahayaraj, Annai Indira Veedhi,
Tharangapadi, Mayiladuthurai District

Petitioner(s)

Vs

State rep by the Inspector of Police
Porayar Police Station,
Cr.No.169 of 2025

Respondent(s)

CRL OP No. 24403 of 2025

PRAYER

To enlarge the petitioners on bail in conection with the case in Crime No.169 of 2025 pending investigation on file of the Inspector of Police, Porayar/Respondent police.



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For Petitioner(s): Ms.Alamelu Mangai

For Respondent(s): Mr.A.Gopinath,
Govt. Advocate (Crl.Side)**ORDER**

The petitioners, who were arrested and remanded to judicial custody on 10.06.2025 for the alleged offence initially under Section 194 of BNSS, 2023, which was subsequently altered to Sec.296(b), 115(2), 238, 103(1) and 351 (2) of the said BNSS in Crime No.169 of 2025 on the file of the respondent police, seek bail.

2. The case of prosecution is that on 10.06.2025 the brother of deceased victim Mosikiran that the victim was found lying near hardware store in the beach road, Tharangapadi in an unconscious state with injuries on the head and that he was taken to Government Hospital for treatment, wherein he died on 27.05.2025. Accordingly, the complaint was registered against the petitioners.

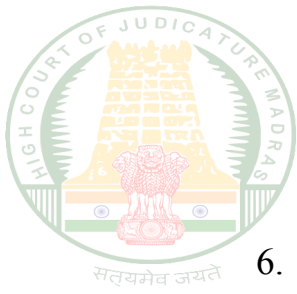
3. The learned counsel appearing for petitioners submitted that this is the second bail petition and they have been falsely implicated in this case as if all the petitioners have attacked the defacto complainant's brother, due to which, he sustained serious injury and died. In fact, there is no specific overtact attributed against the petitioners and they are no way connected with the offence. He would submit that they have not at all committed any of offence as alleged by



the respondent police and they will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioners have been suffering incarceration for more than 89 days from 10.06.2025. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent raised objections stating that the petitioner along with other accused consumed liquor and had a wordy quarrel, out of which, they attacked the deceased, thereby he sustained injury and died. He would submit that totally three accused involved in this case and the petitioners are arrayed as A2 and A3. He would submit that investigation completed and final report also filed on 28.08.2025 and co-accused were released on bail and no previous case pending against them. He would submit that that if they are released on bail, they would tamper the witnesses and hamper the investigation and the investigation is almost completed. Hence, he vehemently opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances, and investigation almost completed and final report also filed on 28.08.2025 and the fact that co-accused were released on bail and also considering the period of incarceration undergone by the petitioners from 10.06.2025 for more than 89 days, this Court is inclined to grant bail to the petitioners subject to the following conditions:



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6. Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each, **in which one surety must be a blood surety**, for a like sum to the satisfaction of the ***District Munsif cum Judicial Magistrate, Tharangapadi***, and on further conditions that:

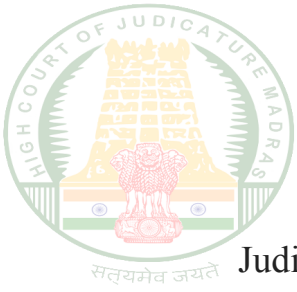
(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months and apart from that, he is directed to attend the hearings before the trial court regularly without fail and if any deviation in complying condition, bail granted to the petitioners shall stand cancelled ;

(c) the petitioners shall not commit any offences of similar nature;

(d) the petitioners shall not abscond either during investigation or trial;

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;



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(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560];

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index: Yes/No

Speaking/Non-speaking order

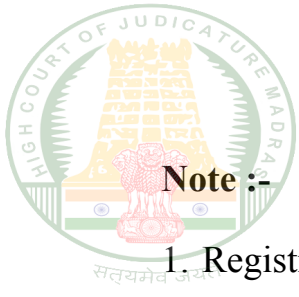
Internet: Yes

Neutral Citation: Yes/No

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To

- 1.The District Munsif cum Judicial Magistrate, Tharangapadi.
- 2.The Inspector of Police, Porayar Police Station.
3. The Superintendent of Prison, Central Prison, Cuddalore.
- 4.The Public Prosecutor, High Court, Madras



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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T.V.THAMILSELVI J.

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