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Crl.O.P.No.24196 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

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

Crl.O.P.No.24196 of 2025

Gowtham

... Petitioner

Vs.

State by:

The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
(Crime No.134 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.134 of 2025 pending on the file of the Inspector of Police, Pachal Police Station, Tiruvannamalai District.

For Petitioner : Mr.S.Silambuselvan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2025, for the offence punishable under Section 296(b), 115(2), 118(1), 109(1), 351(3) of BNS @ Section 103 of BNS, 2023, in Crime



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No.134 of 2025, registered on the file of the respondent, seeks bail.

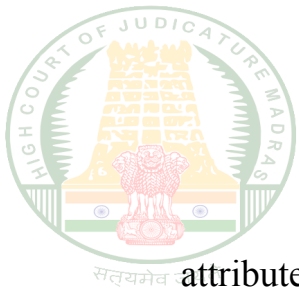
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2. The learned counsel appearing for the petitioner submitted that due to a family dispute, the petitioner herein, along with other accused, restrained the deceased Ragul , at the bus stand and attacked him with aruval and a stone. As a result, the deceased, Ragul sustained injuries and subsequently died. This petitioner is arrayed as A1 and seeks bail on the ground that there was no premeditation to cause the homicidal death of Ragul.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that insofar as this petitioner is concerned, even according to the First Information Report, he used a stone to attack the deceased. However, the post-mortem report indicates that the injury caused by the stone was not fatal.

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

5. Considering the fact that the incident occurred due to a sudden quarrel and the post-mortem report indicates the cause of death to be a cut injury on the neck and a sharp wound on the forehead, both of which are



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attributed to A1 and A2, 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 the learned **Judicial Magistrate, Chengam** 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 respondent police twice a day at 10.00 a.m., and 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 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**



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Kerala [(2005)13 SCC 283];

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

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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, Chengam.
- 2.The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.
- 3.The Superintendent, Central Prison, Vellore
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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