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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24899 of 2025

Santhosh kumar

... Petitioner

Vs.

State rep by:-

The Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.

(Crime No.150 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.150 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.M. Jayachandran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.08.2025 for the alleged offence under Sections 191(2),191(3),329(3), 296(b), 115(2), 109 of BNS Act altered into Sections 191(2), 191(3), 329(3), 296(b), 115(2), 103 of BNS ACT, in Crime No.150 of 2025, on the file of respondent police, seeks bail.



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2. The case of the prosecution is that due to previous enmity, petitioner along with other accused have trespassed into the defacto complainant's house and attacked with deadly weapons, as a result of which one person died and other persons sustained severe injuries. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the petitioner has been suffering incarceration from 25.08.2025. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterate the prosecution case.

5. Taking into consideration the facts of the case and submissions made by both counsels, the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is directed to **deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.150 of 2025**, and on such deposit, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the *learned Judicial Magistrate No.II, Krishnagiri* and on further conditions that:

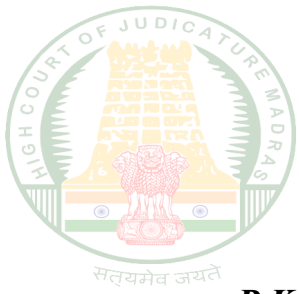
(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on alternative days at 10.30 a.m. for a period of three months.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

(e) on breach of any of the aforesaid conditions, the Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in



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P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. Considering the fact of the case and the mental agony suffered by the deceased family, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority, Krishnagiri District is directed to refer the matter to the District Collector under the said Scheme.

9. The District Collector is directed to provide compensation of Rs.1,00,000/- to the family of the deceased, within a period of four weeks from the date of receipt of a copy of this order. The legal heirs of the deceased are permitted to receive the said amount in the manner known to law.

12.09.2025

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To

1. The ***J Judicial Magistrate No.II, Krishnagiri***
2. The Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.
3. The Superintendent of Prison, Central prison, Salem.
4. The Public Prosecutor, High Court of Madras.
- .5. The District Legal Services Authority, Krishnagiri District.

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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