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Crl.O.P.No.25855 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25855 of 2025

Poovarasam @ Poovasan

... Petitioner/ A6

Vs

The State rep. by,
The Station House Officer,
Bahour Police Station,
Puducherry.
(Crime No.142 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.142 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. K. Sudhakar

For Respondent(s) : Mr. K.S. Mohandass
Public Prosecutor (Puducherry)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 23.07.2025, for the offences punishable under Sections 115(2), 118(1), 109(2) of BNS read with Section 3(5) of BNS, Sections 191(3), 140(1), 49, 61(2) and 103(1) of BNS read with Section 190 of BNS in Crime No.142 of 2025, registered on the file respondent police, seeks bail. The earlier bail application of the petitioner in Crl.O.P.No.23983 of 2025 was dismissed as withdrawn by this Court by an order dated 01.09.2025.

2. The case of the prosecution is that the deceased/ Rajaguru, who is the brother of the defacto complainant sneaked at the first floor of his house and seen the petitioner's wife, while she was bathing; that thereby the petitioner got enraged and engaged other accused for committing the murder of the brother of the defacto complainant. Based on which, the accused persons taken the deceased to J.K. Fish Farm, attacked him using wooden log, iron and plastic chairs; that thereby the deceased got grievous injuries and subsequently died in hospital, while he was under treatment. Hence, this case.



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3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, since there was a previous enmity between the petitioner and the deceased and also the fact that the petitioner is the relative of A1. He also submitted that the petitioner was not a named accused in the FIR and the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Public Prosecutor (Puducherry) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and stated that the petitioner is the prime accused in this case and he had engaged other accused for murdering the deceased on account of taking revenge over the previous enmity between the petitioner and the deceased and the investigation is pending.

5. Considering the facts and circumstances of the case, the weapons used in this case, the role of the petitioner, taking note of the fact that the motive behind the offence and 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 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**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Puducherry** 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 daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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



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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.

23.09.2025

stn

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 No.II,
Puducherry.
2. The Station House Officer,
Bahour Police Station,
Puducherry.
(Crime No.142 of 2025)



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3. The Superintendent,
Central Prison, Kalapet.
4. The Public Prosecutor (Puducherry),
High Court of Madras.

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