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Crl.O.P.No.26686 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26686 of 2025

1.Ramesh
2.Elavarasan
3.Murugan

... Petitioners

Vs.

State represented by its
The Sub-Inspector of Police,
Poolampatty Police Station,
Salem District.
(Crime No.265 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/Accused on bail in Crime No.265 of 2025 pending on the file of the respondent Police.

For Petitioners : Mr.T.Muruganantham

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

ORDER

The petitioners were arrested and remanded to judicial custody on 06.09.2025, for the offence punishable under Sections 296(b), 115(2) and 351(3) of BNS altered to Sections 296(b), 115(2), 351(3) and 109(1) of BNS [Sections 294(b), 323, 506(ii) and 307 of IPC], in Crime No.265 of 2025,



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registered on the file of the respondent, seeks bail.
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2. The case of the prosecution is that the de facto complainant's son, Kaliyappan, was talking with the first petitioner's daughter in an isolated place during night hours. On seeing this, the petitioners abused Kaliyappan in filthy language and assaulted him with hands and legs, causing him to sustain injuries. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent person and have been falsely implicated in this case. He further submitted that the petitioners were in custody from 06.09.2025. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case and submitted that the injured has been discharged from the hospital.

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

6. Considering the nature of the allegations and the period of



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incarceration, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Edappadi**, 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 petitioners shall report before the respondent police for a period of one week, and thereafter as and when required for interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen



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days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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 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]**;

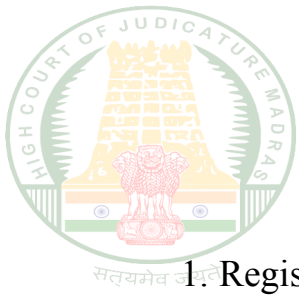
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

26.09.2025

cda

Note :

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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, Edappadi.

2.The Sub-Inspector of Police,
Poolampatty Police Station,
Salem District.

3.The Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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