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Crl.O.P.No.27742 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27742 of 2025

E. Santhakumar

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Ponnai Police Station,
Vellore District.
(Crime No.35 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.35 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. N. Vijayaraj

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 07.08.2025, for the offences punishable under Sections 109 of BNS @ 103(1), 61(2) of BNS Act in Crime No.35 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there is a land dispute between A1 and family members of the deceased, which enraged A1; that thereby A1 conspired with other accused and murdered the deceased using various weapons. Further, it is alleged that the petitioner herein assisted other accused persons to stay in his house, who were involved in the aforesaid offence.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case; that he was not aware about the intention of the other accused involved in the alleged offence and he is in custody since 07.08.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



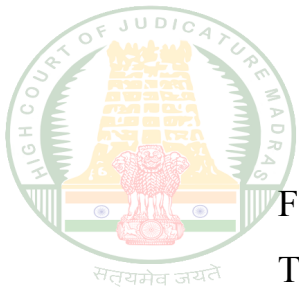
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4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and stated that there are totally four accused and the petitioner herein is arrayed as A4 in this case; and that the investigation is pending.

5. Considering the facts of the case, the overtact against the petitioner that he was not directly involved in the offence and he was not present at the scene of occurrence and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate at Sholingar** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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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;

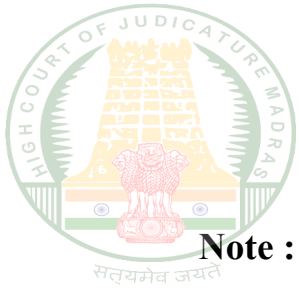
[b] the petitioner shall stay at Cuddalore and report before the Inspector of Police, Cuddalore Town Police station daily at 10:30 a.m., until further orders. It is made clear that the petitioner shall not enter the jurisdictional limit of the respondent police;

[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 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 :

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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,
Sholingar.
2. The Inspector of Police,
Ponnai Police Station,
Vellore District.
(Crime No.35 of 2025)
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Cuddalore Town Police Station,
Tiruvallur.



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K. RAJASEKAR, J.

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