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Crl.OP.No.27435 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.27435 of 2025

1. Anandhbabu
2. Mari
3. Manikandan
4. Karunakaran
5. Dharani
6. Vignesh

... Petitioners

Vs.

State Rep by
Inspector of Police,
Pullarambakkam Police Station,
Thiruvallur District.
(Cr.No.108 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in connection with Cr.No.108 of 2025 on the file of the respondent police.

For Petitioners : Mr.Baalaji

For Intervenor : Mr.N.Kumanan

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

ORDER



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The petitioners, who were arrested and remanded to judicial custody on 12.07.2025 for the alleged offence under Sections 191(3), 296(b), 115(2), 118(1) and 105 of BNS, 2023 in Crime No.108 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.07.2025, when the defacto complainant was going near Mechanic Shed at Ekkadu Kandigai at about 07.30 p.m., the petitioners along with other accused were consuming alcohol, since the way was used by the women and children. When the defacto complainant asked them about consuming alcohol on the way, the petitioners have abused him in filthy language. Later, the defacto complainant left the place and informed the same to his family and the neighbour one Karthikeyan. All of them at about 8.00p.m., went to the house of the accused persons, wherein wordy quarrel arose between them, in which the accused persons assaulted the defacto complainant with stones, he sustained injuries. Further, they also pushed the said Karthikeyan to ground, he fell down on the stone over his head and fainted, even thereafter, he was assaulted by the accused persons, both the defacto complainant and the said Karthikeyan, taken to hospital wherein Karthikeyan was declared dead. Thus



based on the complaint, FIR was registered.

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3. The learned counsel appearing for the petitioners submitted that the petitioners submitted that the petitioners are innocent persons and they have falsely implicated in this case. He further submitted that the said occurrence had taken place, since the deceased and the defacto complainant reached the house of the petitioners herein and questioned and the quarrel arose the occurrence had taken place. Further, he submitted that only due to push and pull the occurrence happened. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by the this Court, since they were in custody from 12.07.2025. Hence, he prays to grant bail to the petitioners.

4. The learned counsel appearing for the Intervenor submitted that these petitioners are habitually involved in illegal sand quarrying. They have joined with another accused who is the history sheeter and since the deceased has questioned them regarding their act of sand theft, conspired with other accused and taking advantage of the situation, the deceased being attacked and resulted in his death. Hence, he opposed to grant bail to the



petitioners.

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5. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that all the accused petitioners involved in this case were arrested and remanded to judicial custody 12.07.2025. He further reported that investigation is still pending, since they are awaiting forensic examination report. Hence, he opposed to grant bail to the petitioners.

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

7. Considering the facts and circumstances of the case, the submissions made by both counsel, the investigation is not completed, since forensic report is awaited, the petitioners are in custody from 12.07.2025 and the fact that the manner in which the occurrence had taken place, I am inclined to grant bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail



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on their executing bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, for a like sum to the satisfaction of the

Judicial Magistrate Court-I, Thiruvallur 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 stay at Villupuram and report before the Inspector of Police, Villupuram Police Station, Villupuram at 10.30 a.m., for a period of four weeks 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 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 Court-I, Thiruvallur
2. The Inspector of Police,
Pullambakkam Police Station,
Thiruvallur District.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

Vv



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