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Crl.O.P.No.27172 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.27172 of 2025

Pandian

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.
(Crime No.321 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
connection with S.C.No.163 of 2024 on the file of the learned Principal
Sessions Judge, District Sessions Court at Ranipet.

For Petitioner : Mr.V.Santhosh

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 01.05.2024, for the offence punishable under Sections 174 @ 302 of IPC,
in Crime No.321 of 2023, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner murdered the deceased due to previous enmity and threw the dead body into the canal nearby Ramapuram to Thiruparkadal Road. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not been granted bail so far and that the case has been committed to the Sessions Court, where it is pending in S.C.No.164 of 2024, and the trial is in progress. He further submitted that from the date of committal, the petitioner has been in custody, and since he has no family, he did not move for bail earlier. Now, he is ready to avail bail. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the trial has already commenced and is presently at the stage of cross-examination of the Investigating Officer. Therefore, granting bail at this stage may tamper with the trial. Hence, he strongly opposed the grant of bail to the petitioner.

5. I have given my anxious consideration on either side



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submissions and perused the materials available on record.
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6. Admittedly, the petitioner has no previous criminal antecedents and has been in custody since 01.05.2024. He has not availed bail throughout the trial. Though it is stated that the case is at the stage of cross-examination of the Investigating Officer, considering the continuous incarceration of the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 **Principal Sessions Judge, District Sessions Court, Ranipet**, 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 concerned Court regularly for a period of one month,



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and thereafter on all hearing dates without fail;

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

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

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

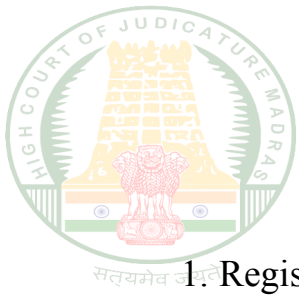
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 Principal Sessions Judge,
District Sessions Court, Ranipet.

2.The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.

3.The Central Prison, Vellore.

4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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