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Crl.O.P.No.27174 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-10-2025

CORAM

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CRL OP NO.27174 of 2025

Thamaraiselvan

... Petitioner/Accused

Vs

State rep. by,
The Inspector of Police,
Erumapatty Police Station,
Namakkal District.
(Crime No.168 of 2025).

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.168 of 2025 pending on the file of the respondent police.

For Petitioner : Mr. S.Kasirajan

For Respondent : Mr. V.J.Priyadarsana
Government Advocate (Crl. Side)



ORDER

WEB COPY The petitioner, who was arrested and remanded to judicial custody on 09.09.2025 for the alleged offence punishable under Sections 126(2), 296(b), 109(1) of BNS Act, 2023 in Crime No.168 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.09.2025, due to money dispute, the petitioner is alleged to have wrongfully restrained the defacto complainant, abused him in filthy language and further assaulted him with a knife.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 09.09.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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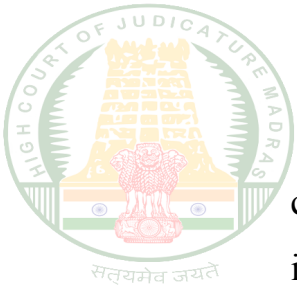
4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the injured has been discharged from the hospital. However, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Sendamangalam, Namakkal District**, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a



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copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two weeks.

[c] the petitioner shall not abscond either during investigation or trial;

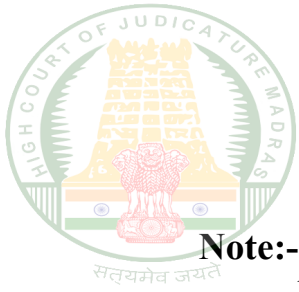
[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

03.10.2025

drl/rna



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 official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate Court,
Sendamangalam, Namakkal District.
- 2.The Superintendent of Police,
Sub Jail, Namakkal District.
3. The Inspector of Police,
Erumapatty Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.

N. SENTHILKUMAR, J.



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