



Crl.O.P.No.32268 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32268 of 2024

1. Sridharsethi

2. Santhosh Malik

3. Chaitanya Malik

4. Sipansethi

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Annur Police Station,
Coimbatore District.
(Crime No.648 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with Crime No.648 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.Ramkumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.648 of 2024 registered for the offence punishable under Section 194 of BNSS and later, altered for the offence punishable under Section 103 of BNS, is on board for consideration.



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2. The incarceration of the petitioners being from 31.10.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that the victim/deceased, in an inebriated condition, had picked up a quarrel with the petitioners and during such time, the victim fell down and succumbed to injuries. He further submits that the incident had occurred only during the quarrel and the petitioners have no intention or motive to cause the death of the victim/deceased. He also submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that since the victim/deceased had asked for bonus with A1, who is a Labour Contractor, there was a quarrel between them, during such time, the first accused along with others had assaulted and pushed the victim/deceased over the stones, due to which, he fell down, sustained injuries and died. He further submits that the investigation in this case is still pending and further, the petitioners hail from the state of Odisha.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the



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materials available on record including the counter filed by the respondent and considering the facts of the case and the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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 **District Munsif cum Judicial Magistrate, Annur**, 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 copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police everyday at 10.30 a.m., until further orders;

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

[d] the petitioners shall not tamper with 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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A.D.JAGADISH CHANDIRA.,J.

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Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

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

02.01.2025

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To

1. The District Munsif cum Judicial Magistrate,
Annur.
2. The Inspector of Police,
Annur Police Station,
Coimbatore District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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