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Crl.O.P.No.32394 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2025

CORAM

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

Crl.O.P.No.32394 of 2024

1.Karthick
2.Srikanth
3.Kaliyamurthi
4.Vanchinathan

... Petitioners

Vs.

The State represented by Inspector of Police
Thirumanur Police Station
Ariyalur District (Crime No.230 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.230 of 2024 on the file of the respondent Police.

For Petitioner : Mr.C.Prabakaran

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

ORDER

Petition seeking bail in respect of Crime No.230 of 2024 registered for
the offences punishable under Sections 191(2), 191(3), 329(4), 296(b), 115(2),
118(1), 127(2), 109, 351(3) of BNS, 2023 r/w. Section 4 of TN Prohibition of
Harassment of Women Act, 2002 @ 191(2), 191(3), 329(4), 296(b), 115(2),
118(1), 127(2), 103, 351(3) of BNS, 2023 r/w. Section 4 of TN Prohibition of
Harassment of Women Act, 2002 is on board for consideration.

2.The incarceration of the petitioners being from 02.11.2024 pleading



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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 A7 & A8 have already been granted bail by this Court in Crl.OP.No.31501 of 2024 on 19.12.2024. He also submits that the petitioners are no way connected with the alleged offences and they 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 due to previous enmity between the petitioners and the de facto complainant's family, the petitioners, along with the other accused, trespassed into the de facto complainant's house, where A1 and A3 restrained the deceased, while A2 is alleged to have stabbed the deceased in the thigh with a knife. The victim subsequently died from bleeding the following day.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering 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 a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **one surety**, for a like sum to the satisfaction of the



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learned Judicial Magistrate – Additional Mahila Court, Ariyalur, 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 petitioner shall stay at Chennai and report before the Inspector of Police, North Beach Police Station, Chennai, 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 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.

03.01.2025

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A.D.JAGADISH CHANDIRA, J.
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To

1.The Judicial Magistrate,
Additional Mahila Court, Ariyalur

2.The Inspector of Police,
Thirumanur Police Station,
Ariyalur District

3.The Inspector of Police,
North Beach Police Station,
Chennai.

4.The Superintendent,
Central Prison, Trichy

5.The Public Prosecutor,
High Court of Madras.

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