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Crl.O.P.No.29715 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31-10-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.29715 of 2025

Aswin Kumar

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Peelamedu Police Station,
Coimbatore.
(Crime No.633 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.633 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. R. Mukesh Kannah

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.09.2025 for the offences punishable under Sections 296(b), 109, 351(3) of BNS in Crime No.350 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 31.08.2025 at about 19:35 hours, while the defacto complainant was standing in front of KVS Bakery, on account of previous enmity, the accused persons picked up a wordy quarrel with the defacto complainant, abused him using obscene words and attacked him using knife; that thereby the defacto complainant sustained injuries. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, since he is the known person of other accused and the petitioner is in judicial custody since 01.09.2025; that the co-accused was already granted bail by this Court in Crl.O.P.No.27646 of 2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the



petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally five accused involved in this case and the petitioner is arrayed as A5; that the specific overtact against this petitioner is henchmen and he is known person to A4; that the petitioner has no previous antecedents; and that the investigation of this case is still pending.

5. Considering the facts and circumstances of the case, the petitioner has no previous antecedents, the fact that the co-accused was already enlarged on bail and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate VI, Coimbatore** and on further conditions



that:

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[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 respondent police daily at 10:30 a.m., for a period of thirty days and thereafter, as and when required for interrogation;

[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.

31.10.2025

stn



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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 Judicial Magistrate VI,
Coimbatore.
2. The Inspector of Police,
Peelamedu Police Station,
Coimbatore.
(Crime No.633 of 2025)
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

stn

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