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Crl.O.P.No.3133



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31331 of 2025

Chinnasamy

... Petitioner

-VS-

State Rep by,
The Sub Inspector of Police,
Attur Rural Police Station,
Salem District.
(Crime No.340 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.340 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 22.10.2025, for the alleged offence punishable under Sections 296(b), 109(1) of BNS, in Crime No.340 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there is previous enmity between the petitioner and the defacto complainant regarding land dispute. On 20.10.2025 at about 05.30 p.m., when the defacto complainant and his daughter went to the grocery shop at Kattukottai, the petitioner's daughter was bursting crackers in front of the defacto complainant's parents' house, this was questioned by the defacto complainant, at that time a wordy quarrel arose between the petitioner and the defacto complainant and in the said quarrel, the petitioner abused the defacto complainant in filthy words and assaulted him with soori knife. When the defacto complainant's parents Kamaraj and Jayam intervened, the petitioner abused them in filthy words and assaulted them with soori knife and attempted to kill them. Hence this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and the counter case is also lodged by the petitioner herein. He would further submit that



the petitioner was arrested and he is in judicial custody from 22.10.2025 and ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the injured discharged from the hospital and petitioner is not having any previous cases, investigation is pending in this case and 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 from 22.10.2025, the petitioner is not having any previous cases and injured discharged from the hospital, and 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.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Judicial*



Magistrate No.I, Attur, 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 report before the respondent police daily at 10.30 a.m., for a period of three 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.



17.11.2025

Note:

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 No.I, Attur.
- 2.The Sub Inspector of Police,
Attur Rural Police Station,
Salem District.
- 3.The Superintendent of Prison,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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