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Crl.O.P.No.3146



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31467 of 2025

Sampathkumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Konganapuram Police Station,
Salem District.
(Crime No.376 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.376 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.10.2025, for the alleged offence punishable under Sections 296(b) & 109(1) of BNS in Crime No.376 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, while consuming liquor with the victim, this petitioner attacked him with an iron rod indiscriminately and caused severe injuries. Hence, a complaint was lodged.

3. The learned counsel for the petitioner submitted that, in this case, the injured has been discharged from the hospital, and the petitioner has no previous cases. The petitioner is in custody from 06.10.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reported that this is a case involving a single accused, and the petitioner has been arrested. The victim has also been discharged, and the petitioner has no previous cases. Hence, he opposed for grant of bail to the petitioner.

5. Considering the submissions of the learned counsel on either side and



the period of incarceration undergone by the petitioner from 06.10.2025, the petitioner is not having any previous case, injured discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to 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 District Magistrate Cum Judicial Magistrate, Salem*, 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



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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.

18.11.2025

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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

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- 1.The District Magistrate Cum Judicial Magistrate, Salem.
- 2.The Inspector of Police,
Konganapuram 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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