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Crl.O.P.No.32165 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32165 of 2025

Govindharaj

... Petitioner

-Vs-

State Rep by,
The Sub-Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai District.
(Crime No.435 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in Crime No.435 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.S.L.Venkatesan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.09.2025, for the alleged offence punishable under Section 103(1) of BNS Act, 2023 in Crime No.435 of 2025, on the file of the respondent police, seeks



bail.

2. The allegation against the petitioner is that due to previous enmity, while the deceased was sleeping in front of the house, the petitioner went there, attacked him with a wooden log and committed murder. Based on the said allegation, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner was arrested purely on suspicion. He further submitted that the petitioner is 80 years old and is in judicial custody from 25.09.2025, and that the investigation is completed. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is completed and the final report filed on 12.11.2025 and the same was taken on file. He further submitted that the petitioner is not having any bad antecedents. However, he opposed for the 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 above facts and circumstances of the case, the submissions made by the learned counsel on either side and the fact that the petitioner is in judicial custody from 25.09.2025, investigation completed and



final report filed and that the petitioner is not having any previous case against him and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner with 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, for a like sum to the satisfaction of the *learned Judicial Magistrate, Arni*, 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 concerned Court daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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.

25.11.2025

drl

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,
Arni
- 2.The Sub-Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai District.
- 3.The Superintendent,



Central Prison, Vellore.

4.The Public Prosecutor,
High Court, Madras.

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K. RAJASEKAR, J.

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