



Crl.O.P.No.3315



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33150 of 2025

S.Shameer

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
S-7, Madipakkam Police Station,
St.Thomas Mount, Chennai.
(Crime No.875 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to
enlarge the petitioner on bail in Crime No.875 of 2025 on the file of the
respondent police.

For Petitioner : Mr.Mohammed Riyaz

for Mr.E.Martin Jayakumar



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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.09.2025, for the alleged offence punishable under Section 194(1) of BNS, 2023 altered to section 103(1) of BNS in Crime No.875 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that this petitioner is ranked as A1 and he stayed along with A2 and deceased in this case. There was quarrel between the parties over the food, and it resulted in altercation, in which this petitioner and A2, attacked the deceased indiscriminately by hands and also hit the deceased on the wall, caused severe injuries. After two days the deceased died. Hence the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case due to sudden quarrel. He would further submit that the petitioner was arrested



and he is in judicial custody from 09.09.2025; and that the investigation in this case is completed. Hence, he prayed for grant of bail to the petitioner.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous cases pending against the petitioner. He further submitted that the investigation in this case is completed; final report filed and the same is taken on file in PRC No.146 of 2025 on the file of the Judicial Magistrate-II, Alandur. However, 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 manner in which the occurrence had taken place, the petitioner is not having any previous cases and he is in judicial custody from 09.09.2025, 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.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned*



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Judicial Magistrate-II, Alandur, 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 Trial Court 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



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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.

03.12.2025

mpa

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-II, Alandur.
- 2.The Inspector of Police,
S-7, Madipakkam Police Station,
St.Thomas Mount, Chennai.
- 3.The Superintendent,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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