



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.33439 of 2025

Brammaiya A Busheppa A Vannayya Gari
Busheppa

Petitioner

Vs

The State Represented by
The Sub-Inspector of Police,
Ponnai Police Station,
Ranipet District.
Crime No.35 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.35 of 2025 on the file of the respondent police.

For Petitioner:

Mr.E.Kannadasan

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)



ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.08.2025 for the alleged offence punishable under Section 109 of BNS 2023 @ 103(1), 61(2) of BNS, 2023 in Crime No.35 of 2025, seeks bail.

2. The case of the prosecution is that there is a land dispute between A1 and family members of the deceased, which enraged A1; that thereby A1 conspired with this petitioner and other accused, murdered the deceased using various weapons.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 07.08.2025. He further submitted that the co-accused was released on bail by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there are totally four accused and the petitioner is ranked as A2 in this case; and that the investigation is completed and the charge sheet filed. Hence, he opposed to grant 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, the fact that the co-accused was released on bail by this Court in CrI.OP.Nos.27742 & 31743 of 2025 dated 10.10.2025 & 20.11.2025, the petitioner has no previous case and that the investigation is concluded and the charge sheet filed, and also considering the period of his incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her 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, Sholingur*, 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 and



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thereafter all the hearing dates.

[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.

05.12.2025

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,
Sholingur.
2. The Sub-Inspector of Police,
Ponnai Police Station,
Ranipet 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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