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Crl.O.P.No.33845 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.33845 of 2025

1. Rajadurai

2. Kannapiran

... Petitionerss

Vs.

The State represented by
The Station House Officer,
Kachirapalayam Police Station,
Kallakurichi District.
(Crime No.411 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners/Accused on bail in
Crime No.411 of 2025 pending on the file of the respondent Police.

For Petitioners : Mr.V.Gunasekar

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

For Intervenor : Mr.V.Gunasekar

ORDER

The petitioners, who were arrested and remanded to judicial custody on
24.11.2025, for the offence punishable under Sections 296(b), 118(1), 109,
329(4), 324(4) of BNS Act in Crime No.411 of 2025, registered on the file of
the respondent, seeks bail.



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2. The allegation against the petitioners is that due to previous enmity, on 25.11.2025 at about 11.15 p.m., 1st petitioner entered into the house of the defacto complainant and attacked the injured and caused multiple injuries and also caused damages to the properties to the value of Rs.1 lakhs. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that, injured has been discharged from the hospital and petitioners are not having any bad antecedents. However, he opposed for grant of bail to the petitioners.

5. It is seen that the 1st petitioner attacked the injured and caused multiple injuries also caused damaged to the properties value of Rs.1 lakh. Hence, this Court is not inclined to grant bail to the 1st petitioner. Considering the fact that the 2nd petitioner has not participated in the said attack, **this**



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Court is inclined to grant bail to the 2nd petitioner alone.

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6. Accordingly, the 2nd petitioner shall deposit a sum of **Rs.40,000/ to the credit of Crime No.411 of 2025 and on such deposit**, the 2nd petitioner is ordered to be released on bail on her 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 **Judicial Magistrate, Chinnasalam** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the 2nd petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the 2nd petitioner shall make himself available for interrogation by a Police Officer as and when required;



[d] the 2nd petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the 2nd petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 2nd petitioner in accordance with law as if the aforementioned conditions have been imposed and the 2nd 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.12.2025

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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

1. Judicial Magistrate, Chinnasalam
2. The Station House Officer,
Kachirapalayam Police Station,
Kallakurichi District.
3. The District Jail, Villupuram.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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