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Crl.O.P.No.35527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.35527 of 2025

1.Suresh Subramani

2.Saritha

... Petitioners

Vs.

State represented by
The Inspector of Police,
Brammadesm Police Station
Villupuram District.
(Crime No.271 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioners on bail in Crime No.271 of 2025 on the file of Inspector of Police, Brammadesm Police Station, Villupuram District.

For Petitioners : Mr.S.Kamalakanth

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)



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ORDER

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The petitioners, who were arrested and remanded to judicial custody on 13.12.2025, for the alleged offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 74 and 109 of BNS, in Crime No.271 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there is a previous enmity with regard to pathway between the petitioner and the defacto complainant. Hence, a wordy quarrel arose, the petitioner abused the defacto complainant with filthy language. Hence, the present case came to be registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are an innocent persons and they have been falsely implicated in this case. He further submitted that the counter case has been registered against the defacto complainant under the SC/ST Act. He further submitted that the petitioners have been suffering incarceration from 13.12.2025 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous case against the petitioners. It is a case in counter and the injured has been discharged from the hospital. Hence, he vehemently opposed to grant of bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the nature of offence, there is a dispute between the parties in respect of pathway and there is a case in counter, and the injured has been discharged from the hospital and also the fact that the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of **the Judicial Magistrate II Court at Tindivanam** and on further conditions that:-



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[b] the petitioners shall report before the respondent police on every

Saturday at 10.30.a.m., for a period of four weeks.

[c] the petitioners shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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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. The Judicial Magistrate II Court at Tindivanam.
2. The Inspector of Police,
Brammadesm Police Station
Villupuram District.
(Crime No.271 of 2025)
3. The Superintendent,
Sub Jail, Tindivanam.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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