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CRL O.P. No.35736 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HON'BLE Mr.JUSTICE P.DHANABAL

CRL OP.No.35736 of 2025

Dineshkumar S/o.Chandran

... Petitioner/Accused 3

Vs

State represented by:

The Inspector of Police,
Yercaud Police Station,
Salem District.

[Cr. No.235 of 2025]

.... Respondent/ Complainant

PRAYER: - The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to grant bail to the petitioner / Accused 3 in Cr.No.235 of 2025 on the file of the respondent police.

For Petitioner	: Mr.C.Deepak Kumar
For Respondent	: Mr. S.Vinoth Kumar, Government Advocate (Crl. Side)

ORDER

The petitioner/Accused 3, who was arrested on 04.10.2025 and remanded to judicial custody on the same day for the offences punishable under Sections 103(1) and 55 of BNS, in Cr.No.235 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that because of the illegal intimacy between the accused 1 and 2, a quarrel arose between Sivakumar, the

1/6



CRL O.P. No.35736 of 2025

husband of A1 and A2, due to which, accused 1 and 2 decided to kill him.

The petitioner herein (A3) assaulted Sivakumar on his head with an iron rod, due to which, he died and hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner had not committed any offence as alleged and the petitioner had been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting bail to the petitioner by stating that the deceased was attacked on his head with an iron rod by the petitioner. He would further submit that the investigation is almost completed and the iron rod was recovered and there is no previous case as against the petitioner.

5.Heard both sides and perused the materials available on record.



CRL O.P. No.35736 of 2025

6.Considering the representations made on both sides and considering the nature of offence, the fact that the co-accused were released on bail and that though there is no previous case as against the petitioner and investigation is almost completed and also considering the period of incarceration of the petitioner from 04.10.2025, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned **Judicial Magistrate, Yercaud**, and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 A.M., until further orders.

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

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

[e] the petitioner shall not directly or indirectly make any



CRL O.P. No.35736 of 2025

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them 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 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]*.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

Index: Yes/No

Neutral Citation : Yes/No
ssa/gya

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 official website of this Court will be watermarked and will also have a QR code.

To

4/6



CRL O.P. No.35736 of 2025

1. The Judicial Magistrate, Yercaud.
2. The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police, Yercaud Police Station, Salem District.
4. The Superintendent, Central Prison, Salem.



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CRL O.P. No.35736 of 2025

P.DHANABAL, J.

ssa/gya

CRL.O.P. No.35736 of 2025

30.12.2025