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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.3849 of 2026

S.Magesh Kumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Ennore Police Station,
Avadi City.
(Crime No.30 of 2026)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.30 of 2026 on the file of the respondent police.

For Petitioner : Mr.U.S.Kuralarasan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.01.2026 for the alleged offences punishable under Section 105 of BNS, in Crime No.30 of 2026, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he is a driver and that while he was travelling at Ernavur Ramakrishna Nagar, Service Road at about 22.50 hours on 24.01.2026, a quarrel occurred between the petitioner and the deceased in this case, during which the petitioner punched the deceased on his face. Unable to withstand the attack of the petitioner, the deceased fell down on the road and his head hit the ground, causing severe injuries and he died on the spot. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the occurrence had taken place due to a sudden quarrel and that the petitioner is in judicial custody since 25.01.2026 and he is ready to co-operate with the investigation. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is not having any previous case pending against him and that the investigation is still pending. Hence, he opposed to grant bail to the petitioner.

5. Considering the submissions made by the learned counsel on either side, though it is stated that investigation is still pending, considering the manner in which the occurrence had taken place, the period of incarceration, and that the petitioner has no previous case pending against him, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



6. 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 **Judicial Magistrate Court, Tiruvottiyur**, 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 respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[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.

17.02.2026

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 Court,
Tiruvottiyur.

2.The Inspector of Police,
Ennore Police Station,
Avadi City.
Vellore District.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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