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Crl.O.P.No.11344 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2026

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THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.11344 of 2026

Siva @ Sivasubramanian

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
Velippalayam Police Station,
Nagapattinam District.
(Crime No.73 of 2026).

... Respondent

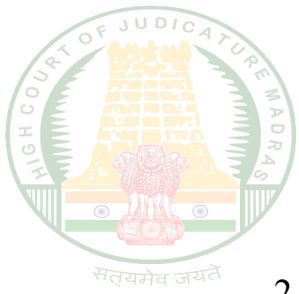
PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.73 of 2026 on the file of the respondent police.

For Petitioner : Mr.U.Kathiravan

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in connection with Crime No. 73 of 2026 registered for the offences punishable under Sections 294(b), 127(2) and 351(2) of BNS and later altered to one under Section 105 of BNS, is on board for consideration.



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2. The case of the prosecution is that owing to previous enmity, the accused went to the house of the victim, abused him and threatened him with dire consequences, during which, the accused pushed him down. Consequently, the case was registered for the offences punishable under Sections 294(b), 127(2) and 351(2) of BNS. However, the victim, who had been admitted to the hospital, died after failing to respond to the treatment. Hence, the case in Crime No.73 of 2026 was altered one under Section 105 of BNS. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He also submitted that the incident was neither premeditated nor intentional, however, he is suffering incarceration from 06.03.2026. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for the grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent reiterated the prosecution case and opposed the bail application. He further submitted that there are three accused in this case and the investigation is still pending. He also submitted that this is the second application for bail filed by the petitioner.



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

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 No.II, Nagapattinam**, 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 everyday at 10.30 a.m., for a period of one month and thereafter, as and when required further interrogation;**

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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 Judge/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 of B.N.S.

06.05.2026

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.
2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.II,
Nagapattinam.
2. The Inspector of Police,
Velippalayam Police Station,
Nagapattinam District.
3. The Superintendent,
District Prison, Nagapattinam.
4. The Public Prosecutor, High Court of Madras.

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L.VICTORIA GOWRI, J.

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