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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.35143 of 2025

Sankar

Petitioner

Vs

The State by

Inspector of Police,
Veppankuppam Police Station,
Vellore District.

Crime No.363 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.363 of 2025 on the file of the respondent police.

For Petitioner: Mr.N. Sudharsan

For Respondent: Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.12.2025 for the alleged offence punishable under Section 105 of BNS 2023, Section 135(1)(a) of IE Act, 2003 in Crime No.363 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that this petitioner has illegally erected electric fencing on his paddy field in which two children and their father were electrocuted and died. Hence, the complaint.

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3. The learned counsel appearing for the petitioner submitted that the petitioner has not intentionally erected the electric fence to cause death to any one and only to protect his farm he has erected the electric fence and he has been falsely implicated in this case. He further submitted that he is in judicial custody since 02.12.2025 and 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 reiterated the prosecution case and submitted that the investigation in this case is pending. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submissions of the learned counsel on either side and the fact that petitioner is in judicial custody from 02.12.2025 and considering the nature of allegations and the fact that the petitioner has erected the electric fence only to protect his farm and the occurrence has taken place has taken accidentally, this Court is inclined to grant bail to the petitioner on certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.III, Vellore* 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 stay at Salem and report before the Fairlands Police Station daily at 10.30 a.m., for a period of three weeks and thereafter appear before the respondent police 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.

19.01.2026

smn

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.



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To

1.The *Judicial Magistrate No.III, Vellore*

2.The Inspector of Police,
Veppankuppam Police Station,
Vellore District.

3.The Superintendent,
Central Prison, Vellore, Vellore District

4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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