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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.34933 of 2025

1.Sivaraj
2.Prabu

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Anchetty Police Station,
Krishnagiri District.
(Crime No.171 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.171 of 2025 on the file of the respondent police.

For Petitioners : Mr.P.M.Jayachandran

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

ORDER

The petitioners were arrested and remanded to judicial custody on 03.11.2025 for the offences punishable under Sections 296(b), 109 of BNS Act, 2023 in Crime No.171 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioners is that he joined hands with other accused, due to pathway dispute, attacked the defacto complainant with a knife and caused severe injuries. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the co-accused was also released on bail by this Court in Crl.OP.No.34415 of 2025. Hence, he prayed to grant bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured was discharged from the hospital and that the investigation is still pending. He further submitted that the petitioners are having one previous case against them. Hence, he opposed to grant bail to the petitioners.

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

6. Considering the submissions made by the learned counsel on both sides, the fact that the injured was discharged from the hospital, and that the co-accused was released on bail by this Court in Crl.OP.No.34415 of 2025, though the petitioners are having one previous case, this Court, taking into account the nature of the offence alleged, is inclined to grant bail to the petitioners with



certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each, for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Denkanikottai, 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 petitioners 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 petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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.

08.01.2026

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 District Munsif cum Judicial Magistrate, Denkanikottai.
- 2.The Inspector of Police, Anchetty Police Station, Krishnagiri District.
- 3.The Superintendent, Sub Jail, Krishnagiri.
- 4.The Public Prosecutor, High Court, Madras.



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K. RAJASEKAR, J.

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