



Crl.O.P.No.26560 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl.O.P.No.26560 of 2024

1.T.V.Manivannan

2.T.V.Ramesh Kumar

...Petitioners

Vs.

State of Tamil Nadu,  
Rep by Inspector of Police,  
Velankanni Police Station  
Nagapattinam District,  
Crime No.241 of 2024

...Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioners on bail in Crime No.241 of 2024 on the file of the respondent police.

For Petitioners : M/s.S.Karpagapriya

For Respondent : Mr.S.Vinothkumar  
Government Advocate (Crl. Side)

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## **ORDER**

The petitioners, who were arrested and remanded to judicial custody on 01.10.2024 for the offences under Sections 126(2), 296(b), 324(4), 351(2) and 109 of B.N.S. Act, in Crime No.241 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the victim is working as a car driver under one Appanu @ Maheshwaran. Due to previous enmity with the said Appanu @ Maheshwaran, the petitioners along with other accused, wrongfully intercepted the car driven by the defacto complainant and attacked him with iron pipe and also damaged the car belongs to the owner of the defacto complainant. Hence, this case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He further submitted that the petitioners have been in custody since 01.10.2024; that they are law-abiding citizens; that they are ready to



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furnish substantial sureties for their due release on bail. Therefore, he prays for the grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioners stating that due to previous enmity with the owner of the defacto complainant, namely Appanu @ Maheshwaran, the petitioners/A1 and A2 along with another accused, attacked the defacto complainant with iron pipe and also damaged the car belongs to the owner of the defacto complainant. He further submitted that the 1<sup>st</sup> petitioner/A1 has been detained under Goondas and that there are four previous cases against both the petitioners. He also submitted that the injured has been discharged from the hospital.

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

6. Since the 1<sup>st</sup> petitioner has been detained under Goondas, **this Criminal Original Petition is dismissed insofar as the 1<sup>st</sup> petitioner is concerned.**

7. As far as the 2<sup>nd</sup> petitioner is concerned, considering the nature



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of offence, the period of incarceration undergone by the 2<sup>nd</sup> petitioner from 01.10.2024, and though there are four previous cases against the 2<sup>nd</sup> petitioner, he has been granted bail in those cases, and also considering all others factors, **I am inclined to grant bail to the 2<sup>nd</sup> petitioner, subject to certain conditions.**

8. Accordingly, the 2<sup>nd</sup> petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the **learned District Munsif-cum-Judicial Magistrate, Keezhvelur,** and on further conditions that:

[a] the 2<sup>nd</sup> petitioner shall report before the **respondent police daily at 10.30 a.m. until further orders.**

[b] the 2<sup>nd</sup> petitioner shall attend in accordance with the conditions of the bond;

[c] the 2<sup>nd</sup> petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the 2<sup>nd</sup> petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person



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acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the 2<sup>nd</sup> petitioner shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the 2<sup>nd</sup> petitioner in accordance with law as if the conditions have been imposed and the 2<sup>nd</sup> 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]; and

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

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To

1.The District Munsif-cum-Judicial Magistrate,



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Keezhvelur.

2. The Superintendent of Prison  
The District Prison, Pudukkottai.
3. The Inspector of Police,  
Velankanni Police Station  
Nagapattinam District.
4. The Public Prosecutor,  
High Court of Madras.



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**P.DHANABAL, J.**

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