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Crl.O.P.Nos.163 & 254 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.163 & 254 of 2025

1. Chithirai Vel

2. Nethaji

3. Ajay

... Petitioners in Crl.O.P.No.163 of 2025

Arunachallam

... Petitioner in Crl.O.P.No.254 of 2025

Vs.

The State represented by,
The Station House Officer,
Cuddalore O.T. Police Station,
Cuddalore District.
(Crime No.600 of 2024).

... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleased to enlarge the petitioners on bail, in connection with Crime No.600 of 2024, pending investigation on the file of the respondent Police.

In both Crl.O.Ps.,

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

Petition seeking bail in respect of Crime No.600 of 2024 registered for the offences punishable under Section 310 (4) of BNS, is on board for consideration.



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2. The incarceration of the petitioners being from 17.12.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that the petitioners are in no way connected with the alleged offence and in order to keep them under fetters, the present case has been foisted against them. He also submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the respondent and his team were on their regular patrol duty, they have seen that the accused had assembled together and were making preparation for committing dacoity. He also submits that the first and third petitioners in Crl.O.P.No.163 of 2025 have been detained under Tamil Nadu Act 14 and against the second petitioner, two previous cases are pending. He further submits that as far as the petitioner in Crl.O.P.No.254 of 2025 is concerned, four previous cases are pending against him.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused



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the materials available on record and considering the fact that the first and third petitioners in Crl.O.P.No.163 of 2025 have been detained under Tamil Nadu Act 14, the criminal original petition in respect of them stands closed.

5. Further, taking note of the period of incarceration undergone by the second petitioner in Crl.O.P.No.163 of 2025 and the petitioner in Crl.O.P.No.254 of 2025, this Court is inclined to grant bail to them with certain conditions and accordingly, they are ordered to be released on bail on their executing separate bond each for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Cuddalore**, 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 second petitioner in Crl.O.P.No.163 of 2025 and the petitioner in Crl.O.P.No.254 of 2025 shall report before the respondent Police, everyday at 06.30 p.m., until further orders;

[c] the second petitioner in Crl.O.P.No.163 of 2025 and the petitioner in Crl.O.P.No.254 of 2025 shall not abscond either during investigation or trial;



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[d] the second petitioner in Crl.O.P.No.163 of 2025 and the petitioner in Crl.O.P.No.254 of 2025 shall not tamper with 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 accused/petitioners in accordance with law as if the conditions have been imposed and the accused/petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2025

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To

1. The Judicial Magistrate No.II, Cuddalore.
2. The Station House Officer,
Cuddalore O.T. Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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