



Crl.O.P.No.164 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM

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

Crl.O.P.No.164 of 2025

1.N.Manikandan

2.Vishnu

... Petitioners

Vs.

The State Represented by,
The Inspector of Police,
Karumbukkadai Police Station,
Coimbatore District.
(Crime No. 103 of 2024).

... Respondent

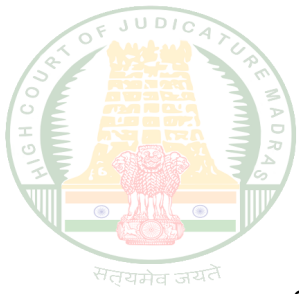
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with **Crime No.103 of 2024**, pending investigation on the file of the respondent Police.

For Petitioners : Mr.R.Radha Pandian

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

ORDER

Petition seeking bail in respect of Crime No.103 of 2024 registered for the offences punishable under Sections 123 and 49 of BNS, 2023, is on board for consideration.



Crl.O.P.No.164 of 2025

WEB COPY

2. The incarceration of the petitioners being from **26.11.2024** pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seek indulgence of this Court. He also submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of **Rs.5,000/-** to any welfare scheme of the Government or any other organization. He further 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, the petitioners along with the other accused was found to be in illegal possession of 500 numbers of tydol tablets. He would submit that there is no previous case pending against the petitioner.

4. At this juncture, the learned counsel appearing for the petitioners submitted that the first petitioner/A-2 was already granted bail by this court in Crl.O.P.No.32087 of 2024 dated 21.12.2024.



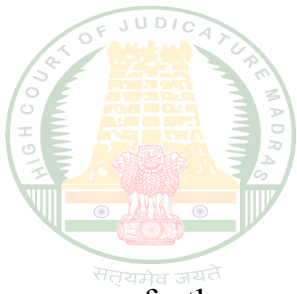
Crl.O.P.No.164 of 2025

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5. In view of the above submissions, this Criminal Original Petition is dismissed in respect of the petitioner/A-2.

6. Considering the voluntary submission made by the learned counsel for the petitioner/A-4, the petitioner/A-4 is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of **Charu Home for Aged, Account Number : 2771201000291, IFSC Code : CNRB0002771, Canara Bank, Mahila Br., T.Nagar Chennai - 17**, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Further, having heard the learned counsel for the petitioner/A-4 and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner/A-4 with certain conditions and accordingly, the petitioner/A-4 is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties, of which one shall be either father or mother of the petitioner/A-4**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.VII, Coimbatore**, and on



Crl.O.P.No.164 of 2025

further conditions that:

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[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/A-4 shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner/A-4 shall not abscond either during investigation or trial;

[d] the petitioner/A-4 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 petitioner/A-4 in accordance with law as if the conditions have been imposed and the petitioner/A-4 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 of B.N.S.

07.01.2025

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Crl.O.P.No.164 of 2025

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To

1. The learned Judicial Magistrate No.VII,
Coimbatore.
2. The Inspector of Police,
Karumbukkadai Police Station,
Coimbatore District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.164 of 2025

A.D.JAGADISH CHANDIRA.,J.

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Crl.O.P.No.164 of 2025

07.01.2025