



Crl.O.P.No.1972 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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

Crl.O.P.No.1972 of 2025

1. Pazhani
2. Mohanraj

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Kandili Police Station,
Tirupathur District.

(Crime No.631 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in
connection with Crime No.631 of 2024, pending investigation on the file of the
respondent Police.

For Petitioners : Mr.R.Parthiban

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

ORDER

Petition seeking bail in respect of Crime 631 of 2024 registered for the
offences punishable under Sections 126(2), 127(2), 296(b), 115(2), 118(1),
351(3), 309(4), 140(2), 109(2) and 3(5) of BNS, is on board for consideration.



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2. The incarceration of the petitioners being from 26.12.2024, 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 they 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 due to previous enmity, the accused kidnapped the victims, abused them in filthy language, assaulted them causing injuries and extorted money from them. He also submits that one of the injured persons is still taking treatment in the hospital. He further submits that the petitioners herein are arrayed as A1 and A5 and the first accused was detained under Tamil Nadu Act 14. He also submitted that there is no previous case against the second petitioners/A5.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering that there is no previous case



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against the second petitioner/A5, this Court is inclined to grant bail to the second petitioner alone with certain conditions and further, taking note of the submission made by the learned Government Advocate (Criminal Side), the Criminal Original Petition in respect of the first petitioner stands closed.

5. Accordingly, the Criminal Original Petition in respect of the second petitioner stands ordered. Thereby, the second petitioner 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Tirupathur** 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 shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the second petitioner shall not abscond either during investigation or trial;

[d] the second petitioner shall not tamper with evidence or witness either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second 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 of B.N.S.

28.01.2025

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To

1. The Judicial Magistrate No.II,
Tirupathur.
2. The Inspector of Police,
Kandili Police Station,
Tirupathur District.
3. The Superintendent,
Central Prison, Vellore,
4. The Public Prosecutor,
High Court of Madras.

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