

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

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

Crl.O.P.Nos. 1816 & 1824 of 2025

Pichaipandi .. Petitioner in Crl.OP.No.1816 of 2025

Anwar .. Petitioner in Crl.OP.No.1824 of 2025

Vs.

State rep. by its the Inspector of Police,
Chettipalayam Police Station,
Coimbatore. (Cr.No. 4 of 2025)

... Respondent in both Crl. Ops.

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No. 4
of 2025 on the file of the respondent.

For Petitioner : Mr.S. Senthilvel

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

COMMON ORDER

Petition seeking bail in respect of Crime No.4 of 2025 registered for the
offence punishable under Section 25(1A) of Arms Act is on board for
consideration.

2.The incarceration of the petitioners being from 04.01.2025 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 have not committed any offences as alleged by the prosecution, whereas, only to keep them under fetters and to detain them under Act 14, this case has been foisted against them . He also submits that the petitioners are no way connected with the alleged offences 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 the petitioners along with other accused were found to be in illegal possession of knives to commit robbery. He further submits that there are four previous cases against the first petitioner and one previous case against the second petitioner.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, (out of which, one surety should be a blood related surety) each for a like sum to the satisfaction of the learned District

Munsif cum Judicial Magistrate, Madukkarai 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, everyday at 06.30 p.m., until further orders;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28.01.2025

sai

A.D.JAGADISH CHANDIRA, J.
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To

1.The District Munsif cum Judicial
Magistrate, Madukkarai.

2.The Inspector of Police.
Chettipalayam Police Station,
Coimbatore.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.

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