



Crl.O.P.No.2289 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

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

Crl.O.P.No.2289 of 2025

1. V. Natesan
2. S. Dinesh

... Petitioners

Vs.

The State Represented by,
The Inspector of Police,
South Police Station,
Tiruppur,
Tiruppur District.
(Crime No.130 of 2025).

... 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.130 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. M. Palani

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



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ORDER

Petition seeking bail in respect of Crime No.130 of 2025 registered for the alleged offences punishable under Sections 296(b), 125 of BNS and Section 3(i) of Prevention of Damage to Public Property Act, is on board for consideration.

2. The incarceration of the petitioners being from 19.01.2025 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 are driver and conductor of the KKC Private Bus and they are innocent and no way connected with the alleged offence and due to bus timing dispute between the K.K.C Private bus and another K.R.N.T Transport bus, wordy quarrel between the driver and conductor of the buses, thereby, the defacto complainant and other accused have damaged the bus, in which the petitioners are working as driver and conductor. He also submitted that a complaint has been lodged against the defacto complainant and other accused and same has been registered in Crime No.131 of 2025 on the file of the respondent police, further the petitioners are ready to abide by any stringent condition that may be imposed by this Court. He further submits that



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the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.5,000/- each to any welfare scheme of the Government or any other organization.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that one Ariharan, who is a conductor of a public transport bus bearing Registration No.TN-11-Y-2187, which belongs to K.R.N.T Transport, lodged a complaint before the respondent police stating that, on 08.01.2025, the petitioners, who are the driver and conductor of the another public transport bus bearing Registration No.TN-33-BJ-6295, intercepted the defacto complainant's bus, due to bus timing dispute and involved in wordy quarrel, thereby the petitioners herein damaged the defacto complainant's bus. He also submitted that a case in counter has been registered by the respondent police in Crime No.131 of 2025 against the defacto complainant and one Sekar, who is the driver of the bus bearing Registration No.TN-11-Y-2187, for damaging the petitioner's bus.

4. Considering the voluntary submission made by the learned



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counsel for the petitioners, the petitioners are directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only) each** to the credit of **District Legal Services Authority, Tiruppur District**, without prejudice to the right of defence before the Trial court and making it clear that it would not amount to admission of guilt.

5. 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 taking note of 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 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 Court No.2, Tiruppur** 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;



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[b] the petitioners shall report before the respondent Police everyday at 10.30 a.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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

30.01.2025

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A.D.JAGADISH CHANDIRA, J.

stn

To

1. The Learned Judicial Magistrate No.2,
Tiruppur.
2. The Inspector of Police,
South Police Station,
Tiruppur, Tiruppur District.
3. The Superintendent,
Central Jail,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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