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Crl.O.P.No.2546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2546 of 2025

1. Angel Edison
2. Anthony Ronaldo

... Petitioners

Vs.

The State Represented by,
The Inspector of Police,
Velankanni Police Station,
Nagapattinam.
(Crime No.12 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.12 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. T. Anathasekar

For Respondent : Mr. A. Gopinath
Government Advocate (Crl.Side)



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ORDER

Petition seeking bail in respect of Crime No.12 of 2025 registered for the alleged offences punishable under Sections 296(b), 308(5) and 351(3) of BNS read with Section 67 of Information Technology Act, is on board for consideration.

2. The case of the prosecution is that on 01.01.2025, the petitioners/ A3 and A4 went to the defacto complainant's hotel; that the other accused persons demanded money from the defacto complainant through whatsapp video call; that when the same was refused, the petitioners herein had abused the defacto complainant using filthy language and threatened him with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case, based on the confession of the co-accused and have not committed any offence as alleged by the prosecution. He also submitted that the petitioners have been arrested and remanded to judicial custody on 01.01.2025. He also submitted



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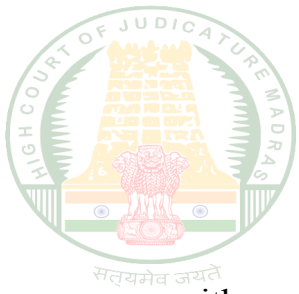
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that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, therefore, prayed to grant bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for granting of bail to the petitioners submitted that the petitioners went to the defacto complainant's hotel and the co-accused have demanded money from the defacto complainant through whatsapp video call, when the same was refused, they abused and threatened the defacto complainant with dire consequences. He also submitted that the petitioners have one previous case pending in Crime No.3 of 2025 and further investigation of this case is pending.

5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the nature of offence alleged, the submissions made by the learned counsels on



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either side, the period of incarceration and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. 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 District Munsiff cum Judicial Magistrate, Kilvelur** 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 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



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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.

03.02.2025

stn

To

1. The District Munsiff cum Judicial Magistrate,
Kilvelur.
2. The Inspector of Police,
Velankanni Police Station,
Nagapattinam.
3. The Superintendent,
District Prison, Nagapattinam.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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