



WEB COPY



Crl.O.P.No.2827 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2827 of 2025

1. Arjunkumar
2. Manoj Kumar

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.
(Crime No.12 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.12 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.K.Gandhi Kumar

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 11.01.2025, seeking bail in Crime No.12 of 2025 registered for the offence under Section 310(4) of BNS Act, 2023 and under Section 25(1A) of the ARMS Act, 1959.



Crl.O.P.No.2827 of 2025

WEB COPY

2. The case of the prosecution is that the petitioners along with other accused attempted to commit dacoity. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and there are no previous cases against them. He further submitted that, in any case, the petitioners are in custody from 11.01.2025 and that since further custody is not required for the purpose of investigation, they may be released on bail.

4. Learned Government Advocate (Crl.Side), per contra submitted that, 1st petitioner has no previous case and the 2nd petitioner has one previous case.

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

6. Considering, the period of incarceration; and that since further custody is not required for the purpose of investigation, this Court is inclined to



Crl.O.P.No.2827 of 2025

grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are 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 **District Munsif Cum Judicial Magistrate, Neyveli** 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 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



Crl.O.P.No.2827 of 2025

WEB COPY

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 B.N.S.

05.02.2025

Sma

To

1. District Munsif Cum Judicial Magistrate, Neyveli
2. The Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.2827 of 2025

SUNDER MOHAN., J.

Sma

Crl.O.P.No.2827 of 2025

05.02.2025