



WEB COPY



Crl.O.P.No.3546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3546 of 2025

Poomalairaja

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Peelamedu Police Station,
Coimbatore.
(Crime No.380 of 2021).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Crime No.380 of 2021, pending investigation on the file of the respondent Police.

For Petitioner : M/s.T.P.Savitha

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 22.01.2023, seeking bail in Crime No.50 of 2023 registered for the offence under Sections 302, 307, 326, 294(b) of IPC.



Crl.O.P.No.3546 of 2025

2. The case of the prosecution is that on 22.01.2023, the victims namely Ravi and Manigandan were sitting inside the TATA ACE vehicle near Nehru Nagar Anna Tholizhil Sangam Stand at Coimbatore and due to previous enmity, petitioner set fire to the vehicle, as a result, both of them sustained burn injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in Judicial Custody for more than two years and that the investigation has not been completed so far. He further submitted that, in any case, the petitioner is in custody from 22.01.2023 and that further custody is not required.

4. Learned counsel for the petitioner produced the marksheet of the petitioner to show that the petitioner is a bright student.

5. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and opposed the grant of bail to the petitioner stating that the petitioner has committed grave offence and he has one previous case, which the prosecution came to know from the confession. However, he was unable to



Crl.O.P.No.3546 of 2025

produce the details of the said case. He further submitted that the investigation has been completed and the final report has been filed.

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

6. Admittedly, the petitioner is in custody from 22.01.2023 and the prosecution has now filed the final report. It is for the prosecution to establish the offence against the petitioner. The petitioner cannot be kept in continuous detention indefinitely and hence considering, the period of incarceration; and since further custody of the petitioner is not required, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the 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 **District Sessions Judge at Coimbatore** and on further conditions that:



Crl.O.P.No.3546 of 2025

[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 petitioner shall report before the trial Court on all working days at 10.30 a.m., until further orders;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the 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 B.N.S.

13.02.2025

Sma



Crl.O.P.No.3546 of 2025

To
WEB COPY

1. District Sessions Judge at Coimbatore.
2. The Inspector of Police,
Peelamedu Police Station,
Coimbatore.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.3546 of 2025

SUNDER MOHAN., J.

Sma

Crl.O.P.No.3546 of 2025

13.02.2025