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CRL O.P. No.4487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL O.P. No.4487 of 2025

Payasam @ Ramkumar
Mayi @ Karthik
Niranjan

... Petitioners / Accused

Versus

State Rep. By
The Inspector of Police (L&O),
Velipalayam,
Nagapattinam.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., praying to enlarge the petitioners on bail pending investigation in Crime No.24 of 2025 on the file of the respondent Police.

For petitioners : Mr. V.R. Bharath.

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

ORDER

This Criminal Original Petition has been filed by the petitioners,



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who were arrested and remanded to judicial custody on 24.01.2025, seeking bail in Crime No.24 of 2025 registered for the offence under Section 310(4) of BNS read with Section 25(1)(A) of the Arms Act, 1959.

2. The case of the prosecution is that the petitioners along with the co-accused were preparing to commit dacoity and they were in possession of dangerous weapons. Hence, the case.

3. Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case. He further submitted that the petitioners are in custody from 24.01.2025 and since further custody is not required, the petitioners may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and further submitted that there are nineteen previous cases pending against the first petitioner and six previous cases pending against the second petitioner and in those cases, the petitioners are on bail.



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

6. Considering the nature of allegations; the fact that the petitioners are on bail in other cases; the period of incarceration; and that since further custody 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 Judicial Magistrate-II, Nagapattinam.

[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;



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[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 B.N.S.

20.02.2025

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To

1.The Public Prosecutor,
High Court of Madras,
Chennai.

2.The Inspector of Police (L&O),
Velipalayam,
Nagapattinam.



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3. The Judicial Magistrate-II,
Nagapattinam.

4. The Superintendent,
Trichy Prison.



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SUNDER MOHAN. J,

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