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Crl.O.P.No.6820 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6820 of 2025

1.Sarathkumar
2.Thiyagarajan
3.Dinesh

...Petitioners/Accused 1-3

Vs.

State rep by
The Sub Inspector of Police,
Nemili Police Station.

(Crime No.88 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.88 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Saravanakumar

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 16.02.2025, seeking bail



Crl.O.P.No.6820 of 2025

in Crime No.88 of 2025 registered for the offence under Section 7(1)(a) of
CLA Act r/w 25(1A) of Arms Act, 1959.

2.It is the case of the prosecution that the petitioners along with the other accused had created nuisance to the public by showing deadly weapons and thus committed the aforesaid offence.

3.The learned counsel for the petitioners would submit that the petitioners are innocent; that similarly placed co-accused has been granted bail by this Court in Crl.O.P.No.5254 of 2025 on 27.02.2025; and that the petitioners are in custody from 16.02.2025 and hence, they may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that A1 is having twelve previous cases, A2 is having two previous cases and A3 is having eight previous cases and they are on bail in all the previous cases and that co-accused has been granted bail by this Court.



Crl.O.P.No.6820 of 2025

WEB COPY

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration and the fact that the petitioners are on bail in all the previous cases and similarly placed co-accused was granted bail by this Court in Crl.O.P.No.5254 of 2025, this Court is of the view that further custody of the petitioners is not required. Hence, 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 separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate – II, Arakkonam, Ranipet District**, 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;



CrI.O.P.No.6820 of 2025

[b] the petitioners shall stay at Villupuram District and report before the Taluk Police Station, Villupuram 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 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.

10.03.2025

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CrI.O.P.No.6820 of 2025

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- 1.The Sub Inspector of Police,
Nemili Police Station.
- 2.The Judicial Magistrate – II, Arakkonam, Ranipet District.
- 3.Sub Jail, Arakkonam.
- 4.The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.6820 of 2025

SUNDER MOHAN, J.

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CrI.O.P.No.6820 of 2025

10.03.2025