



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7245 of 2025

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...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.

(Crime No.33 of 2025)

... Respondent

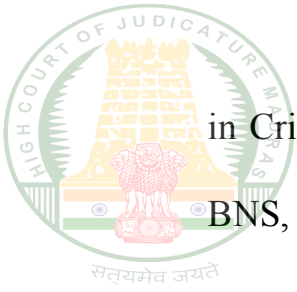
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.33 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.N.Palanivel

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 06.02.2025, seeking bail



in Crime No.33 of 2025 registered for the offence under Section 326(g) of the Indian Penal Code, 1860, read with Section 489A of the Cr.P.C., 1973, BNS, 2023.

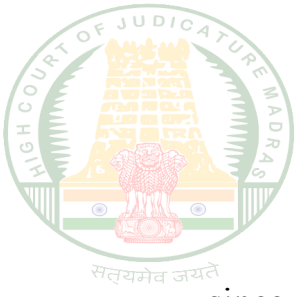
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2.It is the case of the prosecution that the petitioner is the son and the defacto complainant is the mother of the petitioner; that on 06.02.2025 at about 11.00 a.m., due to a wordy quarrel, the petitioner, knowing that his mother was not in her house, had set fire on the defacto complainant's house and caused damages to the tune of Rs.3,00,000/-, including 1 sovereign of gold jewel. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that due to previous enmity a false complaint has been given; that the petitioner is in custody from 06.02.2025 and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed for the grant of bail.

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



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6.Considering the nature of allegations, 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 **District Munsif cum Judicial Magistrate I, 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 petitioner shall report before the respondent Police, everyday 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;



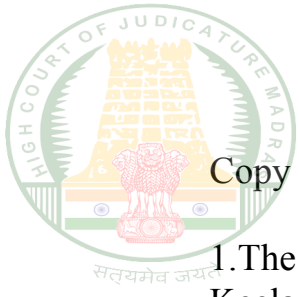
[e] On breach of any of the aforesaid conditions, the learned

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.

13.03.2025

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Copy to:

1.The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.

2.The District Munsif cum Judicial Magistrate I, Kilvelur.

3.District Prison, Nagapattinam.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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