



Crl.O.P.No.8125 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

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1. Senthil @ Senthilkumar - A1 (Aged 35 years)
S/o. Kaliyamoorthy

2. Manda Vinoth @ Vinothkumar - A2
(Aged 34 years)
S/o. Meenakshisundaram

... Petitioners/Accused 1, 2

Vs.

The State represented by,
The Inspector of Police,
Sirkali Police Station,
Sirkali

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail, in connection with the Crime No.93 of 2025, on the file of the respondent Police.

For Petitioners : Mr. P. Veeraraghavan

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



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ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 24.02.2025, seeking bail in Crime No.93 of 2025 registered for the offences punishable under Sections 296(b), 308(5), 351(3) BNS read with 25 (IA) Arms Act 1959.

2. The case of the prosecution is that the petitioners were sleeping in a platform abutting the road; that the defacto complainant, who was passing by, woke up the petitioners and that the petitioners quarrelled with the defacto complainant under the influence of alcohol, scolded the defacto complainant in filthy language and extorted Rs.350/- from the defacto complainant. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioners are false; that the petitioners were taken up from their house and were falsely implicated in the case. . He further submitted that, in any case, the petitioners are in custody from 24.02.2025 and that since further custody of the petitioners is not required for the purpose of investigation, they may be released on bail.



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4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that there are six previous cases each against the petitioners for the offence punishable under Section 306 IPC and similar such offences and they are all on bail on those cases.

5. Considering the nature of allegations, the period of incarceration and that since the petitioners are on bail on previous cases and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on each of the petitioner 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, Sirkali**, 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;



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[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 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.

19.03.2025

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To

1. The Judicial Magistrate, Sirkali
2. The Inspector of Police,
Sirkali Police Station,
Sirkali
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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