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Crl.O.P.No.9130 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.9130 of 2025

1.Kumaran
2.Neppoliyan
3.Suresh
4.Rajini @ Manimaran
5.Ravichandran
6.Thillainatarajan

...Petitioners/Accused 1 to 6

Vs.

State through
The Station House Officer,
Puduchathiram Police Station,
Cuddalore District.

(Crime No.82 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.82 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.M.Ragul Kousik

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 18.03.2025, seeking bail in Crime No.82 of 2025 registered for the offence under Sections 115(2), 118(1), 126(2), 191(2), 296(b) and 351(3) of BNS r/w Section 3 of TNPPDL Act.

2.It is the case of the prosecution that on 18.03.2025 at about 3.30 p.m., the defacto complainant was in duty of collecting toll fees at counter No.3 in Kothadai Toll Plaza; that the petitioners, who were crossing the toll gate, had picked up a wordy quarrel with the defacto complainant; that the petitioners had abused the defacto complainant in filthy language, assaulted him and caused damages to the CCTV cameras to the tune of Rs.30,000/-. Hence, the case.

3.The learned counsel for the petitioners would submit the petitioners are innocent; that the petitioners are in custody from 18.03.2025 and hence, their further custody is not required and sought for bail.



4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioners had caused damages to the tune of Rs.30,000/-.

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 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.

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 **District Munsif cum Judicial Magistrate, Portonovo**, 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

WEB COPY [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.

27.03.2025

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Copy to:

1.The Station House Officer,
Puduchathiram Police Station,
Cuddalore District.

2.The District Munsif cum Judicial Magistrate, Portonovo.

3.Sub Jail, Chidambaram.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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