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Crl.O.P.Nos.9774 & 9854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.9774 & 9854 of 2025

1. Naveen

2. Manigandan

... Petitioners in Crl.O.P.No.9774 of 2025/A4 & A3

Venkatesan

... Petitioner in Crl.O.P.No.9854 of 2025/A2

Vs.

The State represented by,
The Inspector of Police,
Nemili Police Station,
Ranipet District.
Crime No.36 of 2025

... Respondent in both Crl.O.Ps

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.36 of 2025, pending investigation on the file of the respondent Police.

For Petitioners in
Crl.O.P.No. 9774 of 2024 : Mr.R.Dasaratha Rao

For Petitioner in
Crl.O.P.No. 9854 of 2024 : Mr.Dayalan

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



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COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners, who were arrested and remanded to judicial custody on 19.01.2025 and 22.01.2025 respectively, seeking bail in Crime No.36 of 2025 registered for the offence under Sections 296(b), 115(2), 109(1), 351(3) @ 103(1), 191(2) of BNS, 2023.

2. The case of the prosecution is that the defacto complainant along with his friend were playing cricket and at that time, due to previous enmity, petitioners along with the first accused, poured petrol on the deceased and set fire, as a result of which deceased sustained burn injuries and died. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons; that they have been falsely implicated in this case; that the petitioners are in custody from 19.01.2025 & 22.01.2025; that the allegations are only against the first accused and that since further custody is not required, the petitioners may be released on bail.



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4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that A2 and A3 have no previous cases and A4 has one previous case and in that case, he is on bail.

5. Heard the learned counsel appearing 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 against the petitioners; period of incarceration; the fact that A2 & A3 have no bad antecedents; the fact that A4 is on bail in other case and 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 No.2, Arakkonam.**



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[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;

[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.

07.04.2025

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To

1. Judicial Magistrate No.2, Arakkonam.
2. The Inspector of Police,
Nemili Police Station,
Ranipet District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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