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Crl.O.P.No.10472 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.10472 of 2025

1.S.Nandakumar
2.K.Dineshkumar

...Petitioners/Accused 1 & 2

Vs.

State through
The Inspector of Police,
Velur Police Station,
Namakkal District.

(Crime No.98 of 2025)

... Respondent

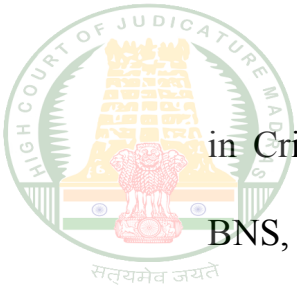
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.98 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.M.Jaikumar

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 26.03.2025, seeking bail



in Crime No.98 of 2025 registered for the offence under Section 132 of BNS, 2023 and Section 3 of TNPPDL Act.

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2.It is the case of the prosecution that while the defacto complainant was driving a Jeep bearing Registration No.TN-28-G-0574 along with DSP and SSI, there was a clash between two groups; that during clash, the petitioners along with the other accused had caused mischief by throwing stones on the windshield and bonnet of the Jeep and caused damage. Hence, the case.

3.The learned counsel for the petitioners would submit the petitioners are innocent; and that the petitioners are in custody from 26.03.2025 and hence, their further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that the value of the damaged windshield of the car is Rs.15,000/- and that the first petitioner has two previous cases and he is on bail in those cases and the second petitioner has no bad antecedents.



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

6.Considering the nature of allegations, period of incarceration, the fact that the first petitioner is on bail in those previous cases and the second petitioner has no bad antecedents and since further custody of the petitioners is not required, 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 **Judicial Magistrate Court, Paramathy**, 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.

08.04.2025

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Copy to:

1.The Inspector of Police,
Velur Police Station,
Namakkal District.

2.The Judicial Magistrate Court, Paramathy.

3.The Superintendent of Prison,
Central Prison, Namakkal.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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