



WEB COPY



CRL O.P. No.12024 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.12024 of 2025

Arul Sudar S/o. Sabapathy

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Virudampet Police Station,
Vellore.

... Respondent

[Cr. No.37 of 2025]

PRAYER:- Criminal Original Petition filed under Section 483 of BNSS,

pleased to enlarge the petitioner on bail, in connection with the Cr.No.37

of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S. Thirugnanam

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER

This Criminal Original Petition has been filed by the



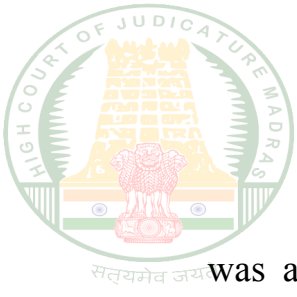
CRL O.P. No.12024 of 2025

petitioner/accused, who was arrested and remanded to judicial custody on 01.04.2025, seeking bail in Cr. No.37 of 2025 registered for the offences under Section 118(1) of B.N.S. altered to Sections 118(2) and 238 of B.N.S and Sections 25(1A) and 27(1) of Arms Act.

2. The case of the prosecution is that the victim/the petitioner herein and A1 are known each other; that while handling Pistol, A1 has accidentally triggered the gun, due to which, the victim sustained grievous injury on his right shoulder. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he is not a named accused in the FIR; that the injured was discharged from the hospital; that in any case, further custody of the petitioner is not required for the purpose of investigation; and that considering the period of incarceration of the petitioner, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that it



CRL O.P. No.12024 of 2025

WEB COPY

was an accidental fire and confirmed that the injured was discharged from the hospital.

5. Considering the nature of allegations, the period of incarceration, the fact that it was an accidental fire and the injured was discharged from the hospital, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 learned **Judicial Magistrate No.III, Vellore** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



WEB COPY



CRL O.P. No.12024 of 2025

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



WEB COPY



CRL O.P. No.12024 of 2025

FIR can be registered under Section 269 B.N.S.

22.04.2025

mjs

To

1. The Judicial Magistrate No.III, Vellore .

2The Inspector of Police,
Virudampet Police Station,
Vellore.

3. The Superintendent of Police, Central Prison, Vellore.

4. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN. J.,

mjs

5/6



WEB COPY



CRL O.P. No.12024 of 2025

CRL O.P. No.12024 of 2025

22.04.2025