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CRL OP NO. 13703 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP NO. 13703 of 2025

Sakthivel @ Saravanan

.... Petitioner

Vs

State Rep. By

The Inspector of Police,

Neyveli Thermal Police Station,

Cuddalore District.

(Crime No.62 of 2025)

.... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.62 of 2025 pending investigation before the respondent police.

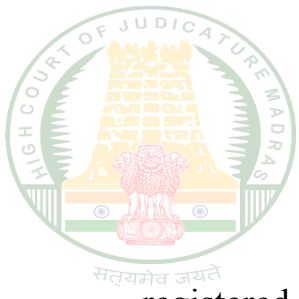
For Petitioner(s) : Mr.A.Anandharaj

For Respondent(s): Mr.L.Baskaran

Government Advocate

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.04.2025, for the offence punishable under Sections 115(2), 118(1), 126(2), 137(2), 296(b) and 351(3) of BNS @ 109, 115(2), 118(1), 126(2), 127(2), 137(2), 191(2), 191(3), 296(b) and 351(3) of BNS Act (147, 148, 323, 324, 341, 342, 363, 294(b), 506(ii) and 307 IPC) in connection with Crime No.62 of 2025,



registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused threatened one Mr.Abdul Basha, who is the driver of the defacto complainant and demanded Rs.40,000/- from him at knife point. He further abused and assaulted him. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is falsely implicated in this case. The petitioner is in judicial custody from 10.04.2025 and hence, further custody of the petitioner is not required. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner. He further submitted that A3 was already released on bail and there are two previous case pending against this petitioner.

5.Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner and co-accused was released on bail, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **District Magistrate/Judicial Magistrate, Neyveli**, and on further conditions that:

a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the respondent Police daily at 10.30 a.m., for a period of two weeks; thereafter as and when required for further interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid



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M.NIRMAL KUMAR, J.

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down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

13-06-2025

Note: 1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The District Munsif / Judicial Magistrate, Neyveli.
- 2.The Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
(Crime No.62 of 2025)
- 3.The Superintendent,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.

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