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CrI.O.P.No.13702 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

CrI.O.P.No.13702 of 2025

Sivakumar @ Appu

...Petitioner/Accused 1

Vs.

State rep by  
The Station House Officer,  
Mandarakuppam Police Station,  
Cuddalore District.

(Crime No.49 of 2025)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.49 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Gandhi Kumar

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

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.03.2025, seeking bail



in Crime No.49 of 2025 registered for the offence under Sections 296(b), 118(1), 351(3) and 109 of BNS, 2023.

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2.It is the case of the prosecution that on 23.03.2025, when the defacto complainant and his father went to a chicken shop, the petitioner along with the other accused had thrown cigarettes on them; that when the defacto complainant questioned the same, the accused had abused him in filthy language, assaulted him with knife and caused injuries and threatened him of dire consequences. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the injured was discharged from the hospital; and that the petitioner is in custody from 24.03.2025 and hence, further custody of the petitioner is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the injured has been discharged from the hospital and that there are 11 previous cases pending against the petitioner and he is on bail in those cases.



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 injured was discharged from the hospital, the petitioner is on bail in the previous cases, and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

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

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

29.04.2025

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Copy to:

- 1.The Station House Officer,  
Mandarakuppam Police Station,  
Cuddalore District.
- 2.The District Munsif cum Judicial Magistrate, Neyveli.
- 3.The Superintendent of Prison, Central Prison, Cuddalore.
- 3.The Public Prosecutor, High Court, Madras.



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**SUNDER MOHAN, J.**

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**29.04.2025**