



Crl.O.P.No.14425 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14425 of 2025

Jothivel

... Petitioner/A9

Vs.

State rep. by
The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur.
Crime No. 127 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.127 of 2025 pending on the file of the Respondent police.

For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
06.03.2025, for the offence punishable under Sections 126(2), 140(3), 309(4) @
126(2), 319(2), 140(3) and 310(2) of BNS, 2023 in connection with Crime
No.127 of 2025, registered on the file of the respondent, seeks bail.



CrI.O.P.No.14425 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused kidnapped the defacto complainant in a car and robbed a sum of Rs.1,10,00,000/- along with his mobile phone. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is no way connected with the alleged offence, however, he is suffering incarceration from 06.03.2025. He also submitted that the similarly placed co-accused were granted bail by this Court. He further 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. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the the investigation has been completed and the charge sheet was also been filed.



Crl.O.P.No.14425 of 2025

WEB COPY

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and also the fact that the similarly placed co-accused were granted bail, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Palladam**, 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 report before the respondent Police as and when required for further interrogation;**

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



WEB COPY



CrI.O.P.No.14425 of 2025

[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 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.

03.06.2025

sma



Crl.O.P.No.14425 of 2025

WEB COPY

To

1. Judicial Magistrate,
Palladam.
2. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



WEB COPY



Crl.O.P.No.14425 of 2025

sma

Crl.O.P.No.14425 of 2025

03.06.2025