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Crl.O.P.No.15370 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15370 of 2025

1.Tamilarasan

2. Dhanush

... Petitioners/ A3 & A4

Vs.

State, Rep. by
The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
(Crime No.95 of 2025)

... Respondent

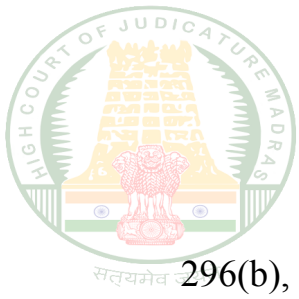
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, pending investigation of the case in Crime No.95 of 2025 on the file of the respondent.

For Petitioners : M/s.G.Nirmal Krishnan

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 25.04.2025, for the offence punishable under Sections 115(2),



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296(b), 308(5), 351(3) of BNS @ 296(b), 309 (b) read with Section 311 of BNS Act, 2023 [Sections 323, 294, 386, 506, 390, 397 of IPC] in Crime No.95 of 2025, registered on the file of the respondent, seeks bail.

2. The contention of the petitioners is that the petitioners are students and the 2nd petitioner is pursuing BSW course in Ooris College at Vellore. He further submitted that there was a dispute between the defacto complainant and one Santhosh and since, the petitioners, who are the friends of the Santhosh have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the defacto complainant used to decorate the idols during the temple festival and he is known to A1/Santhosh and on the date of occurrence, A1 had called the defacto complainant on 24.04.2025 at about 03.30.p.m., to come to the village for doing some decoration and when the defacto complainant went to Nelvai Bust Stop, at that time, A1 along with the petitioners had taken the defacto complainant to



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an isolated place and assaulted him and also taken a sum of Rs.33,000/- from him. He further submitted that, A1 and A2 are yet to be arrested and the stolen amount is yet to be recovered.

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, 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 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 No.I, Vellore** 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 petitioners shall report respondent



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police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

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

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

[e] the petitioners 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 petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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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.

M.NIRMAL KUMAR, J.



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To

- 1.Judicial Magistrate No.I, Vellore.
- 2.The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
- 3.The Superintendent,
Central Jail, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

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