



Crl.O.P.No.15273 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15273 of 2025

Manikandan K @ Soorai Mani

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
D2 Thiruvelangadu Police Station,
Thiruvallur District.
(Crime No.21 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.21 of 2025, on the file of the respondent Police.

For Petitioner : Mr.J.Prakash

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.02.2025 for the offences punishable under Sections 281, 106(2) of BNS altered to Sections 191(2), 191(3), 118(1), 103(2) and 61(2) of BNS, in Crime No.21 of 2025 on the file of the respondent police, seeks bail.



CrI.O.P.No.15273 of 2025

WEB COPY

2. The case of the prosecution is that due to previous enmity, the accused had murdered the victim and shown it as an accident. Therefore, initially, the case was registered for the offence under Sections 281, 106(2) of BNS and only during the investigation, it was altered to one under Sections 191(2), 191(3), 118(1), 103(2) and 61(2) of BNS. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is arrayed as A5 in the present case registered in Crime No.21 of 2025 and was formally arrested on 11.02.2025. The petitioner was originally arrested in Crime No.18 of 2025 registered in Perumbakkam Police Station on 08.02.2025 and in that case, he was granted bail. He further submitted that in the present case, the petitioner was shown as one of the accused on 11.02.2025 and for almost 93 days, the petitioner is in judicial custody, however, the charge sheet has not been filed, thereby, the petitioner is entitled for statutory bail. However, the statutory bail application of the petitioner has not been considered for the reason that the petitioner has 12 previous cases. 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.



Crl.O.P.No.15273 of 2025

WEB COPY

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner, who is arrayed as A5 in this case, was formally arrested on 11.02.2025 and the charge sheet has not been filed in this case. He further submitted that 12 previous cases are pending against the petitioner. Hence, he opposed for granting bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the period of incarceration suffered by the petitioner, this Court is of the opinion that the constitutional right that accrues to the petitioner cannot be denied for the reason that the petitioner has previous cases. Therefore, 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**



Crl.O.P.No.15273 of 2025

Magistrate, Thiruthani, Thiruvallur, 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, everyday at 10.30 a.m., for a period of two weeks and 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 down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



CrI.O.P.No.15273 of 2025

WEB COPY

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

15.05.2025

ham

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 Judicial Magistrate, Thiruthani, Thiruvallur.
2. The Inspector of Police,
D2 Thiruvelangadu Police Station, Thiruvallur District.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.15273 of 2025

M.NIRMAL KUMAR, J.

ham

Crl.O.P.No.15273 of 2025

15.05.2025