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Crl.O.P.Nos.15957 & 159 70 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.15957 & 15970 of 2025

Sushil Kumar

... Petitioner in
both Crl.O.P.'s

Vs.

State rep. by
The Inspector of Police,
GRP Jolarpet Police Station.
Thirupathur District.

Crime Nos.84 & 82 of 2024.

... Respondent in
both Crl.O.P's

PRAYER in Crl.O.P.No.15957 of 2025: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.84 of 2024 pending on the file of the Respondent police.

PRAYER in Crl.O.P.No.15970 of 2025 : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.82 of 2024 pending on the file of the Respondent police.



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In both Crl.O.P.'s:-

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

COMMON ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.05.2024, for the offence punishable under Sections 392 of I.P.C. in connection with Crime No.84 of 2024, registered on the file of the respondent, seeks bail.

2.The petitioner, who was arrested and remanded to judicial custody on 11.06.2024, for the offence punishable under Sections 392, 397, 304 (2) of I.P.C. in connection with Crime No.82 of 2024, registered on the file of the respondent, seeks bail.

3. The case of the prosecution is that on 18.05.2024 at about 09.40 a.m., one Ayaraj was travelling from Chennai to Morappur in train, when the train was passing from the Jolarpet Railway Station, the defacto-complainant was sitting in the stairs of the train and looking at his mobile phone; at that time, the petitioner extorted the defacto-complainant's mobile phone. Hence, the case.



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4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner is in judicial custody from 29.05.2024 and 18.05.2025 respectively 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.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

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

7.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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8. 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 local sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.III, Thirupathur**, 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 trial Court on all hearing dates without fail;

[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



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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.

04.06.2025

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To

- 1.The Judicial Magistrate No.III,
Thirupathur.
- 2.The Inspector of Police,
GRP Jolarpet Police Station.
Thirupathur District.
- 3.The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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