



Crl.O.P.No.16088 & 16184 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16088 & 16184 of 2025

Ragul @ Vellai Ragul

.. Petitioner in Crl.O.P.No.16088/2025

Manikandan @ Vandu Mani

.. Petitioner in Crl.O.P.No.16184/2025

Vs.

State rep. by

The Inspector of Police

E-3, Teynampet Police Station

Chennai

Crime No.119 of 2025

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

COMMON PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail in the event of arrest in Crime No. 119 of 2025 pending investigation on the file of the respondent police.

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

:

Mr.G.Pandian

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

:

Mr.L.Baskaran

Government Advocate (Crl.Side)



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COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 15.03.2025, for the offence punishable under Sections 126(2), 296(b), 103(1), 351(3) of BNS, 2023 in connection with Crime No. 119 of 2025, registered on the file of the respondent, seek bail.

2.The case of the prosecution that the petitioner/A1 along with other accused/A2 attacked the defacto complainant's father using knife, due to which, he sustained injuries on head and died on the spot. Hence, the case.

3. It is the contention of the petitioners that petitioners are arrayed as A1 and A2 in Crime No. 119 of 2025 and they were arrested on 15.03.2025. It is his contention that deceased person and the petitioners are engaged in street vending business. When the deceased person asked the petitioners to move away from the business, there was a wordy quarrel between them and they were attacked each other. It is his further contention that it was not a premeditated attack and the petitioners are the sole bread winners of their respective families. Hence, he prayed for grant of bail to the petitioners.



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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 there are totally two accused in this case. He also submit that there are nineteen cases pending against A1 including a case under Section 302 of IPC and four cases pending against A2 out of which one case was registered under Section 307 IPC and remaining cases were registered under Section 506(ii) of IPC. He also submitted that in this case, investigation has been completed and charge sheet has also been filed in PRC.No.76 of 2025.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the fact that this is a murder case and A1 had earlier involved in case under Section 302 of IPC and having 19 cases pending against him, this Court is not inclined to grant bail to the petitioner/A1 in CrI.O.PNo.16184/2025.

Accordingly, the Criminal Original petition in CrI.O.PNo.16184/2025 stands dismissed. Considering the period of incarceration undergone by the petitioner/A2 in CrI.O.PNo.16088/2025, this Court is inclined to grant bail to the petitioner in CrI.O.PNo.16088/2025 with certain conditions:



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7. Accordingly, the petitioner in Crl.O.PNo.16088/2025 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 **XVIII Metropolitan Magistrate, Saidapet** 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 in Crl.O.PNo.16088/2025 shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner in Crl.O.PNo.16088/2025 shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner in Crl.O.PNo.16088/2025 shall not directly or indirectly cause any threat to the de facto complainant and witnesses;



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[e] the petitioner in Crl.O.PNo.16088/2025 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 Crl.O.PNo.16088/2025 in accordance with law as if the aforementioned conditions have been imposed and the petitioner in Crl.O.PNo.16088/2025 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]**;

[h] 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.

To

1. The XVIII Metropolitan Magistrate, Saidapet

2. The Inspector of Police
E-3, Teynampet Police Station
Chennai

3. The Superintendent,
Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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