



CrI.O.P.No.16166 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.05.2025

CORAM

THE HON'BLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

CrI.O.P.No.16166 of 2025

1.Sivasabapathy

2.Saran @ Sarankumar

...Petitioners/Accused-1 & 4

Vs.

State rep by

The Inspector of Police,

Malayampalayam Police Station,

Erode District.

(Crime No.110 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.110 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.J.Ranjithkumar

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 13.05.2025, seeking bail in Crime



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No.110 of 2025 registered for the offence under Sections 61(2) & 326(g) of BNS,

2023.

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2. The case of the prosecution is that the petitioners A1 & A4 along with other accused conspired together and dropped petrol filled bottles on the house of the defacto complainant and causing an explosion and damage to the property. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent, due to previous enmity, a false case has been foisted against the petitioners and no property was damaged. He would further submit that the petitioners are in custody from 13.05.2025 and the co-accused (A3) has already been granted anticipatory bail in C.M.P. No.1217 of 2025 dated 16.05.2205 by the learned Sessions Judge, Erode and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and further submitted that there is no previous case pending as



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against the petitioners.

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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, the period incarceration and the fact that the co-accused has been granted anticipatory bail in C.M.P. No.1217 of 2025 dated 16.05.2025 by the Trial Court and since further custody of the petitioners is not required for the purpose of investigation, 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 their executing a separate 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 **District Munsif cum Judicial Magistrate, Kodumudi, Erode** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or



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Bank pass Book to ensure their identity;

WEB COPY [b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of 2 months and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560]*;

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

28.05.2025

rkp/ata

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



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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.

Copy to:

- 1.The Inspector of Police,
Malayampalayam Police Station,
Erode District.
- 2.The District Munsif cum Judicial Magistrate, Kodumudi, Erode.
- 3.The Superintendent of Prison,
Sub Jail, Erode.
- 4.The Public Prosecutor,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI.J.,

rkp/ata

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