



Crl.O.P.No.16599 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16599 of 2025

1.Soni @ Prakash

2.Puviyarasan

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.

Crime No.108 of 2025.

... Respondent

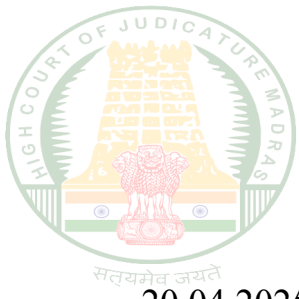
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.108 of 2025 pending on the file of the Respondent police.

For Petitioners : Mr.N.Palanivel

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on



Crl.O.P.No.16599 of 2025

20.04.2025, for the offence punishable under Section 303 (2) of BNS Act in connection with Crime No.108 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 1 unit of ordinary sand. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they had been falsely implicated in this case. The petitioners are in judicial custody from 20.04.2025 and hence, further custody of the petitioners is not required. He also 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.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the petitioners were found in illegal possession of 1 unit of ordinary sand.

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



CrI.O.P.No.16599 of 2025

WEB COPY

6.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 petitioners, 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 bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Vedaranyam**, 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 before the respondent Police 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



Crl.O.P.No.16599 of 2025

WEB COPY

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.

09.06.2025

ep

To

1. The District Munsif Cum Judicial Magistrate, Vedaranyam.
2. The Inspector of Police,
Vedaranyam Police Station,
Nagapattinam District.

4/6



Crl.O.P.No.16599 of 2025

WEB COPY

3. The Superintendent,
District Prison,
Nagapattinam.
4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

ep

Crl.O.P.No.16599 of 2025



WEB COPY



CrI.O.P.No.16599 of 2025

09.06.2025