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CRL OP No. 18884 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18884 of 2025

Duraisamy

Petitioner(s)

Vs

State, rep. by
The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
Crime No.145/2025

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to release the petitioner on bail in Crime No.145 of 2025 on the file of the respondent/police and thus render justice.

For Petitioner(s): Mr.M.P.Saravanan

For Respondent(s): Mr.R.Vinothraja, GA (Crl.Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 23.06.2025, for the offences punishable under Sections 296(b), 115(2), 121(1), 125, 132 of BNS Act (294(b), 323, 332, 338, 353 of IPC) and Section 3(1) of TNPPDL Act in connection with Crime No.145 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on June 22, 2025, the petitioner travelled on the footsteps of a government bus and after being asked by the conductor/defacto complainant to get inside, he allegedly damaged the backside glass of the bus, causing injuries to the passengers. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. The learned counsel further submitted that the petitioner is suffering incarceration from 23.06.2025 and he 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.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case, and on instructions submitted that the case is under investigation, at this stage, if the petitioner is released on bail, there are every possibilities for tampering the witnesses and hampering the investigation, thereby, he strongly opposed to grant bail to the petitioner.

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 the period of incarceration undergone by the petitioner, 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**



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Magistrate II, Krishnagiri 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 daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner is directed to deposit a sum of **Rs.7,500/- (rupees Seven Thousand and Five Hundred only) to the credit of Crime No.145 of 2025 and produce the Bank Challan before the learned Magistrate concerned at the time of executing the sureties.**

[d]the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] 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;

[g] On breach of any of the aforementioned conditions, the



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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];

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

02-07-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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
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1. The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
2. The Judicial Magistrate II,
Krishnagiri.
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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