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Crl.O.P.No.19057 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19057 of 2025

1. Vallavarasu @ Kumaresan

2.Giri

... Petitioners

Vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.
(Cr.No.155 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.155 of 2025 pending on the file of the respondent.

For Petitioners : Mr.J.Pradee[

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 11.06.2025, for the offence punishable under Sections 191(2),
191(3), 126(2), 296(b) , 118(2) and 288 of BNS, 2023 and Section 4 of Tamil
Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime



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No.155 of 2025, registered on the file of the respondent, seeks bail.

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2. The case of the prosecution is that on June 10.06.2025, the petitioners along with other accused obstructed a school bus bearing Reg.No. TN 24 AA 4855 belonging to SRV Matriculation School near Mariamman Temple in Rettipatti Village, verbally abused the driver of the bus, threw a lit firecracker at the bus window, shattering the glass and causing injuries to five children. Hence, the case.

4. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that petitioners are ready to abide by any stringent condition that may be imposed by this Court. He also submit that co-accused were granted bail by this Court. Hence, he prayed for grant of bail to the petitioners.

5. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution's case, and on instructions submitted that the petitioner's action resulted in causing injuries to five school



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going children and also the driver of the bus. He further submitted that the case is still under investigation and releasing of the petitioners on bail at this stage could lead to tampering of witnesses and interference with the investigation. Therefore, he strongly opposed for granting bail to the petitioners.

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

7. 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 petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

8. 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 Judicial Magistrate, Uthangarai** 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



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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 daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

[c] each of the petitioners shall deposit a sum of Rs.5,000/- (Rupees five Thousand Only) to the school account (Account Name : SRV Matriculation School of Excellency , Bank name: Indian Bank, Pochampalli, Account Number: 6024238536, IFSC Code: IDIB000P037 and upon receipt of the said amount, the school management shall disburse the same to the five injured children and the Driver of the bus and to produce the Bank Challan before the Judicial Magistrate, Uthangarai and the receipt shall be produced at the time of executing the bond;

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

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

[f] 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;

[g] On breach of any of the aforementioned



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conditions, the 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.

04.07.2025

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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.

M.NIRMAL KUMAR, J.

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1. Judicial Magistrate, Uthangarai.

2.The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.

3..The Public Prosecutor,
High Court of Madras.

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