



Crl.O.P.Nos.20644 and 21535 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.20644 and 21535 of 2025

Arunkumar ... Petitioner in Crl.O.P.No.20644 of 2025

Gopi ... Petitioner in Crl.O.P.No.21535 of 2025

Vs.

State Rep. by Tamil Nadu Represented by

The Inspector of Police,

Vaniyambadi Town Police Station

Cr.No.160 of 2025

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

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending investigation in Crime No.160 of 2025 on the file of the respondent.

For Petitioner in

Crl.O.P.No.20644 of 2025 : Mr.E.Kannadasan

For Petitioner in

Crl.O.P.No.21535 of 2025 : Mr.S.Thirugnanam

For Respondent in both

Crl.O.P's : Mr.R.Vinothraja
GA (Crl. Side)



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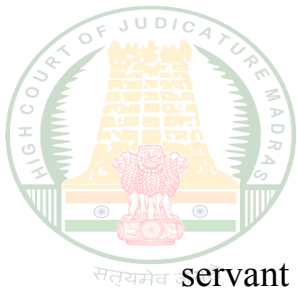
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COMMON ORDER

The petitioner in Crl.O.P.No.20644 of 2025, who was arrested and remanded to judicial custody on 18.06.2025, for the offence punishable under Sections 296(b), 333, 311 of BNS 2023 (under Sections 294(b), 452, 397 of IPC) in Crime No.160 of 2025, registered on the file of the respondent, seeks bail.

2. The petitioner in Crl.O.P.No.21535 of 2025, who was arrested and remanded to judicial custody on 19.06.2025, for the offence punishable under Sections 296(b), 311, 333 of BNS @ 296(b), 311, 333, 49, 61(2)(a) of BNS in Crime No.160 of 2025, registered on the file of the respondent, seeks bail.

3. The case of the prosecution is that the petitioner in Crl.O.P.No.20644 of 2025 is arrayed as A2 and the petitioner in Crl.O.P.No.21535 of 2025 is arrayed as A6. On 16.06.2025 at about 05.03.p.m., the petitioners along with other accused trespassed into the house of the defacto complainant, tied up the defacto complainant, his wife and



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servant and attempted to commit robbery. Upon finding no jewels or valuables, took away two mobile phones from the complainant's house.

Hence, the case.

4. Learned counsel appearing for the petitioners in respective petitions submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the co-accused have been granted bail by this Court. He further 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.

5. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioners.

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

7. Considering the period of incarceration already undergone by the petitioners in respective petitions and also that the co-accused have been



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granted bail, 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 his 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 Court, Vaniyambadi, Tirupattur** 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 daily at 10.30.a.m., until further orders;**

[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



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cause any 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.

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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 Judicial Magistrate, Vaniyambadi, Tirupattur
2. The Inspector of Police,
Vaniyambadi Town Police Station
3. The Sub Jail, Tirupattur
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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