



Crl.O.P.Nos.21991 & 22003 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.21991 and 22003 of 2025

Kittupoonai @ Sivakumar

... Petitioner/A1 in
Crl.O.P.No.21991/2025

Arockiyam @ Arockiyaraj

... Petitioner/A2 in
Crl.O.P.No.22003/2025

Vs.

The State Rep by
the Inspector of Police,
T-4 Maduravoyal Police Station,
Chennai – 600 095.
(Crime No.482 of 2025)

... Respondent in both Crl.O.Ps.

For Petitioner : Ms.M.Vindhiya
in both Crl.O.Ps.

For Respondent : Mr.R.Vinothraja
in both Crl.O.Ps. Government Advocate (Crl. Side)

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on
07.07.2025, for the offences punishable under Sections 296(b), 115(2), 125,



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324(2), 311 and 351(3) of BNS, 2023 in connection with Crime No.482 of

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2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the de-facto complainant is running a tiffin shop. On the date of occurrence, the petitioners along with other accused came to the de-facto complainant's hotel, abused him with filthy language, attacked him and robbed a sum of Rs.530/- at knife point. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are no way connected in the offence as alleged by the prosecution. He further submitted that the co-accused/A3 was granted bail by the learned Principal District and Sessions Judge, Thiruvallur in Crl.M.P.No.3061 of 2025 dated 01.08.2025. 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.



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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 have got 5 previous cases, both are History Sheetter and the last case was registered in the year 2024. He further submitted that the co-accused/A3 was already granted bail by the Sessions Court.

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

6. Considering the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioners and the co-accused/A3 was already granted bail by the Sessions Court, 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 his 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

Judicial Magistrate No.II, Poonamallee and on further conditions that:

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[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, everyday at 10.30 a.m., until further orders except when they required to appear before the trial Court for hearing in connection with other cases;

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

[d] the petitioners shall not directly or indirectly 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, they 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



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P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

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

07.08.2025

rsi

To

1.The Judicial Magistrate No.II,
Poonamallee.

2.The Inspector of Police,
T-4 Maduravoyal Police Station,
Chennai – 600 095.

3.The Superintendent,
Central Prison, Puzhal,
Chennai.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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