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Crl.O.P.No.24124 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.24124 of 2025

Rishi @ Rishikesh

... Petitioner

Vs.

State Rep. by:

The Inspector of Police,
Deevattipatti Police Station,
Salem District.

(Crime No.360 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned in Crime No.360 of 2025 pending on the file of the respondent.

For Petitioner : Mr.M.Sivakumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.07.2025, for the offence punishable under Sections 296(b), 115(2), 326(g) and 351(3) of BNS, 2023, in Crime No.360 of 2025, registered on the file of the respondent, seeks bail.



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2. The First Information Report indicates that, on 21.07.2025, the petitioner, in a drunken state, caused a nuisance in front of the defacto complainant's house. When the defacto complainant objected, the petitioner, along with two others, had brutally attacked the defacto complainant and set fire to a hut belonging to the defacto complainant's grandmother, one Varadammal. The trial Court dismissed the petitioner's earlier bail petition on the ground that he was involved in a similar offence previously and in this case he had damaged to the property of Varadammal. Since the investigation is pending, the trial Court rejected the bail petition vide order dated 21.08.2025.

3. The learned Government Advocate (CrI.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the investigation is substantially completed and the petitioner has been in prison for more than 35 days.

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

5. Considering the fact that the petitioner along with other accused caused damage to property worth Rs.55,000/- by setting it on fire



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and taking into account the period of incarceration already undergone, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on **depositing a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in the account pertaining to Crime No.360 of 2025 within a period of fifteen days.** On such deposit, the surety may be considered and on further conditions that:

[a] The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Omalur;**

[b] 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;

[c] **the petitioner shall stay at Namakkal and report before the Namakkal Town police daily at 10.30 a.m., until further orders;**



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[d] On breach of any of the aforementioned 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]**;

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

02.09.2025

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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.



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To

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- 1.The Judicial Magistrate Court, Omalur.
- 2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
- 3.The Inspector of Police,
Namakkal Town Police Station, Namakkal.
- 4.The Sub Jail, Omalur
- 5.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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