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Crl.O.P.No.27488 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.27488 of 2025

1.Tinker Kumaran
2.Pichumani @ Vinoth

... Petitioners/A1 & A2

Vs.

The State Rep. by
The Inspector of Police,
ICE House Police Station
Mylapore, Chennai.
(Crime No.286 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.286 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Doraiswamy

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on **16.07.2025** for the alleged offences punishable under Sections **191(2), 191(3), 126(2), 296(b), 109(1) and 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.286 of 2025** on the file of the respondent police, seek bail.

2. The allegation against these petitioners is that due to previous enmity, they threatened the defacto complainant and also fought with him in a public place. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the case has been registered only for the purpose of detaining the petitioners under Act 14 of 1982 and subsequently they were detained. The Advisory Board has not approved the detention order. Accordingly, the detention order is revoked. He further submitted that they are in custody for longer period and he prayed for grant of bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent police reported that the petitioners are ranked as A1 & A2, the 1st petitioner/A1 is having five previous cases and 2nd petitioner/A2 is having two previous cases against them. Hence, he strongly opposed grant of bail to the petitioners.

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

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioners, 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 their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) each**, with **two sureties**, for a like sum to the satisfaction of the **learned II Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and
Left Thumb Impression in the Application for Surety



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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 stay at Vellore and report before the Vellore Town Police daily at 10.30 a.m., until further orders;

[c] 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]**;

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

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dna



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Note :

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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 II Metropolitan Magistrate, Egmore, Chennai.

2.The Inspector of Police,
ICE House Police Station
Mylapore, Chennai.
(Crime No.286 of 2025)

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

4.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

dna

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