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Crl.O.P.No.27817 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27817 of 2025

1.Nanthakumar @ Nantha
2.Karthick @ Appukutti
3.Sathyakrishnan
(Presently confined in Central Prison- Cuddalore) ... Petitioners/A3 to A5
Vs

The State rep.by
The Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.

(Crime No.137 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 439 of Code of Criminal Procedure / 483 of BNSS, to enlarge the petitioners on bail in Crime No.137 of 2025 on the file of the respondent police.

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 30.08.2025, for the offences punishable under Sections 296(b), 126(2), 115(2), 310(2), and 351(3) of the BNS, in Crime No.137 of 2025, registered on the file respondent police, seek bail.

2.The case of the prosecution is that at 08.40p.m., on 27.08.2025,



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while the de-facto complainant was riding his two-wheeler, the accused 1 to 3 intercepted and took his mobile phone from his pocket. When the de-facto complainant chased the accused persons, he was brutally assaulted by the accused along with three others near Javakara College and snatched the 4 grams gold ring worn by the accused and also threatened to kill him with a stick. Hence, the case has been registered by the respondent police.

3.The learned counsel appearing for the petitioners/accused contended that the respondent police have registered an FIR as against the petitioners/accused and they are falsely implicated in this case and they have not committed any offence as alleged in FIR. He further submitted that they are innocent and no way connected with the offence. A false case has been foisted against them. It is attempt to robbery. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case. He further submitted that the first petitioner is an habitual offender and five previous case are pending as against him. As far as the second petitioner is concerned, no previous case is pending as against him. However, insofar as third petitioner is concerned, two previous cases are



pending against him.

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

6. Considering the fact that the first petitioner is an habitual offender and had involved in five previous cases, this Court is not inclined to grant bail to the first petitioner and accordingly, **the bail petition is stands dismissed as against the first petitioner.**

7. Since there is no previous antecedent as against the second petitioner and only two cases are pending as against the third petitioner, and also considering the period of incarceration undergone by the petitioners 2&3, **this Court is inclined to grant bail to the petitioners 2 and 3 alone on certain conditions.**

8. Accordingly, the petitioners 2 & 3 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 **District Munsiff cum Judicial Magistrate, Neyveli**, 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



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of the identity proofs to ensure their identity;

[b] the petitioners 2&3 shall report before the respondent police on everyday at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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.

13.10.2025

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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



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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 District Munsiff cum Judicial Magistrate, Neyveli.
2. The Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
3. The Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR,J.,

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