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Crl.O.P.No.28617 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28617 of 2025

Rethinasamy

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kariyampattinam Police Station,
Kariyampattinam,
Vedaranyam Taluk,
Nagapattinam District.
(Crime No.839 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.839 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.R.Sampathkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 01.10.2025, for the offence punishable under Sections 191(3), 296(b),
326(g) & 351(3) of BNS read with Section 20 and 25(1)(a) of Indian Arms



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Act, in Crime No.839 of 2025, registered on the file of the respondent, seeks bail.

2. The allegation against the petitioner is that due to previous enmity, petitioner along with other accused unlawfully assembled before the house of the defacto complainant and also set fire the defacto complainant's two wheeler. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner. He further submitted that the petitioner have no previous cases.

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



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6. Considering the nature of offence committed by the petitioner and taking into account the period of incarceration and also considering the fact that the petitioner has no bad antecedents, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, **the petitioner is directed to deposit a sum of Rs.15,000/- to the credit of Crime No.306 of 2025** and on such deposit, the petitioner is ordered to be released on bail on his executing 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 **District Munsif Cum Judicial Magistrate, Vedaranyam** 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 petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and required for interrogation.

[c] the petitioner shall make himself available



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for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner 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 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]**;

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

23.10.2025

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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. District Munsif Cum Judicial Magistrate at Vedaranyam

2. The Inspector of Police,
Kariyampattinam Police Station,
Kariyampattinam,
Vedaranyam Taluk,
Nagapattinam District.

3. The District Prison, Nagapattinam

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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