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Crl.O.P.No.29861 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29861 of 2025

1.Govindaraj

2.Rajesh

3.Velankanniselvam

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Kolathur Police Station,
Salem District.

(Crime No.380 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/Accused on bail
in Crime No.380 of 2025 on the file of the respondent police.

For petitioners : Mr.R.Thirumoorthy

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

ORDER

The petitioners were arrested and remanded to judicial custody on
15.09.2025, for the offence punishable under Sections 281, 296(b), 115(2)



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and 351(3) of BNS and Section 3(1) of TNPPDL Act, in Crime No.380 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 15.09.2025 at about 3.30 p.m., when the de facto complainant was driving his Mahindra Pickup Van near Nirmala School Pirivu Road, the petitioners came in a TVS Victor vehicle in a rash and negligent manner, collided with his vehicle, abused and assaulted him under the influence of alcohol, damaged the windshield, and threatened him with dire consequences. Hence, the complaint.

3. Today, 03.11.2025, when the matter was taken up for hearing, the learned counsel for the petitioners submitted that the petitioners have been in custody since 15.09.2025. Hence, he prayed for grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case, and submitted that this Court had already dismissed the bail application of the petitioner in Crl.O.P.No.27631 of 2025 dated 09.10.2025 on the ground that the petitioner has previous cases.



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

6. Considering the nature of the allegations, the period of incarceration and the petitioners are willing to deposit a sum of Rs.750/- each to the credit of Crime No.380 of 2025, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the **petitioners each shall deposit a sum of Rs.750/- (Rupees Seven Hundred Fifty Only) to the credit of Crime No.380 of 2025** and on such deposit, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Mettur**, 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;



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[b] the petitioners shall report before the respondent police for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioners shall make himself 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, 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 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 **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.

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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.

To

- 1.The Judicial Magistrate No.I, Mettur.
- 2.The Inspector of Police,
Kolathur Police Station,
Salem District.
- 4.The Central Prison, Salem.
- 5.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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