



WEB COPY

Crl.O.P.No.29640 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31-10-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.29640 of 2025

S. Giritharan

... Petitioner/ A5

Vs

The State of Tamil Nadu Rep. by,
The Inspector of Police,
Thiruvannamalai Town Police Station,
Thiruvannamalai, Thiruvannamalai District.
(Crime No.356 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.356 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. S.M. Nandhie Devhan

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



ORDER

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 18.10.2025 for the offences punishable under Section 310(4) of BNS in Crime No.356 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 18.09.2025, based on a secret information, the respondent police went to the place of occurrence and found that the petitioner and other accused persons were sitting with a knife at the back side of a temple in a suspicious manner; that upon enquiry, it is revealed that they were planning to commit dacoity. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 18.10.2025; that the co-accused/ A2 was granted bail by the learned Principal Sessions Judge, Tiruvannamalai, vide order dated 29.10.2025 in Crl.M.P.No.3194 of 2025; and 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 (Crl. Side) appearing for the



respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally six accused involved in this case and the petitioner is arrayed as A5; that the petitioner has no previous antecedents; and that the investigation of this case is pending.

5. Considering the facts and circumstances of the case, the petitioner has no previous antecedents, the co-accused was already enlarged on bail and taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate -I, Thiruvannamalai** 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;



Crl.O.P.No.29640 of 2025

WEB COPY

[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 when required for interrogation by the respondent police;

[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.

31.10.2025

stn

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



Crl.O.P.No.29640 of 2025

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 -I,
Thiruvannamalai.
2. The Inspector of Police,
Thiruvannamalai Town Police Station,
Thiruvannamalai, Thiruvannamalai District.
(Crime No.356 of 2025)
3. The Superintendent,
Sub-Jail, Thiruvannamalai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.29640 of 2025

K. RAJASEKAR, J.

stn

Crl.O.P. No.29460 of 2025

31.10.2025