



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30619 of 2025

Nithi @ Joseph

Petitioner(s)

Vs

State Rep. by The Station House
Officer
Orleanpet Police Station, Puducherry.
Crime No. 200/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to _enlarge the petitioner on bail pending
investigation in Crime no. 200/2025 on the file of the respnodent police.

For Petitioner(s): Mr.Prakash Adiapadam

For Respondent(s): Mr.K.S.Mohandass, Public
Prosecutor (Puducherry)



ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.09.2025 by the respondent police in connection with Crime No.200 of 2025 for the offences punishable under Sections 191(3), 61(2), 109(1) BNS r/w 190 BNS, seeks bail.

2. The case of the prosecution is that, due to previous enmity, the petitioner along with other accused attacked the de facto complainant using knife. Due to which, the de facto complainant sustained grievous injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case, and the petitioner was in custody from 23.09.2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Public Prosecutor (Puducherry) appearing for the respondent



police opposed the grant of bail, reiterating the prosecution case and submitted that the petitioner along with other accused attacked the de facto complainant using deadly weapons; thereby the de facto complainant sustained injuries and discharged from the hospital. He further submitted that there are six previous cases pending against the petitioner.

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

6. Considering the fact that the injured discharged from the hospital and taking into account the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate-II, Puducherry**, and on further conditions that:

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



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[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 Court concerned for a period of two weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available 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]**;



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

10-11-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
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- 1.State Rep. by The Station House
Officer
Orleanpet Police Station, Puducherry.
Crime No. 200/2025.
- 2.The Judicial Magistrate-II,
Puducherry.
- 3.The Central Prison, Kalapet,
Puducherry.
- 4.The Public Prosecutor, High Court of
Madras.



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K.RAJASEKAR J.
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