



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 33006 of 2025

1.Sunal @ Kotteeswaran
S/o.Kutty

2.Subash
S/o.Selvanathan

3.Nagaraj @ Rolas

... Petitioners

Versus

The State represented by
The Inspector of Police
Kadambattur Police Station
Thiruvallur
Crime No. 146 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in Crime No.146
of 2025 on the file of respondent police.



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For Petitioners : Mr.M.D.Ilayaraja

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 21.09.2025, for the offences punishable under Sections 126(2), 296(b), 109, 309(4) & 351(3) of BNS (Sections 341, 294(b), 307, 392, & 506(ii) of IPC) in Crime No.146 of 2025 registered on the file respondent police, seek bail.

2.Earlier bail application of the petitioners was dismissed on the following submissions made by the learned Government Advocate and also following the reasons:-

“4.The learned Government Advocate (Crl.Side) for the respondent reported that on 20.09.2025, the petitioners waylaid the de-facto complainant demanded



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money, and robbed Rs.1,900/- at knife point. He further submitted that the 1st petitioner is having 12 previous cases, 2nd petitioner is having 4 previous cases and the 3rd petitioner is having 5 previous cases and the investigation is pending. Hence, he opposed for grant of bail to the petitioners.

5.Considering the gravity of the offence, the petitioners' bad antecedent and the ongoing investigation, releasing them on bail may lead to absconding evidence tampering, or hindering the investigation. This Court is not inclined to grant bail. Accordingly, this petition is dismissed.”

3. The learned counsel for the petitioners submits that the petitioners were arrested and remanded to judicial custody from 21.09.2025. He further submits that the injured person has discharged from the hospital. He further submits that the petitioners are ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioners.



4.I have also gone through the submissions and the list of previous cases against the petitioners, it reveals that the 1st petitioner - Sunal @ Kotteeswaran, is having one murder case; three attempted to murder cases and other cases. The 2nd petitioner - Subash, is having one murder case; two attempted to murder cases and two other cases; whereas, the 3rd petitioner - Nagaraj @ Rolas, is having two NDPS cases.

5.Considering the above bad antecedents against the petitioners 1&2, I am not inclined to grant bail to them. Considering the period of incarceration of the 3rd petitioner from 21.09.2025, I am inclined to grant bail to the 3rd petitioner - Nagaraj @ Rolas with certain conditions.

6.Accordingly, the 3rd 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, for a like sum to the satisfaction of the learned

Judicial Magistrate No.II, Thiruvallur, 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 3rd petitioner shall report before the respondent police daily at 10.30 am for a period of four 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 3rd 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**



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

02.12.2025

MSM

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.



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To

1.The Judicial Magistrate No.II,
Thiruvallur.

2.The Central Prison-II, Puzhal,
Chennai.

3.The Public Prosecutor
High Court of Madras.

4.The Inspector of Police
Kadambattur Police Station
Thiruvallur
Crime No. 146 of 2025.



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K.RAJASEKAR J.

MSM

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