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Crl.O.P.Nos.31268 & 3127



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.Nos.31268 & 31271 of 2025

Thippu Sulthan

... Petitioner in Crl.O.P.31268 of 2025

1. Venkatesan
2. Akbar basha
3. Vasanth Kumar

... Petitioners in Crl.O.P.31271 of 2025

-VS-

State Rep by,
The Inspector of Police,
Jolarpettai Police Station.
(Crime No.143 of 2025)

... Respondent in both OP's

Common Prayer:- Criminal Original Petitions filed under Section 483 of BNSS,

pleased to enlarge the petitioners on bail in S.C.No.111 of 2025 on the file of the

Principal District and Sessions Court at Thirupathur in Crime No.143 of 2025

In both OP's

For Petitioner : Mr.S.Senthilvel

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

COMMON ORDER

The petitioner, who were arrested and remanded to judicial custody on



26.05.2025, for the alleged offence punishable under Sections 281, 109 and 103(1) of BNS, in Crime No.143 of 2025, on the file of the respondent police, seeks bail.

2. The petitioners in Crl.O.P.No.31271 of 2025 are ranked as A2, A3 and A4 and the petitioner in Crl.O.P.No.31268 of 2025 is ranked as A5. These petitioners are friends of A1. A3 to A5 attacked the deceased with knife. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are an innocent, they have been falsely implicated in this case. He would further submit that the petitioner was arrested and they are in judicial custody from 26.05.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally 5 accused in this case all were arrested and the case is pending before the Sessions Court and petitioner Venkatesan is having 6 previous cases, Akbar Basha is having 4 previous cases, Vasanth Kumar and Thippu Sulthan are not having any previous cases, and he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.



6. Considering the submissions of the learned counsel on either side and the period of incarceration from 26.05.2025, I have gone through the records and reveals that these petitioners are friends accompanied the A1 and attacked the deceased due to previous enmity. Since a case is reached the stage of trial and the petitioners namely Vasanth Kumar and Thippu Sulthan are not having any previous cases and bad antecedents, and this Court is inclined to grant bail to A4 and A5 subject to certain conditions and not inclined to grant bail to A2 and A3 / Venkatesan and Akbar Basha and dismissed against A2 and A3.

7. Accordingly, the Accused Nos.4 and 5 / Thippu Sulthan and Vasanth Kumar are ordered to be released on bail on their 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 District Principal District and Sessions Court Judge, at Thirupathur*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the Accused Nos.4 and 5 / Thippu Sulthan and Vasanth Kumar shall report before the respondent police daily at 10.30 a.m., for a period of three weeks;



[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

17.11.2025

rna

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 Principal District and Sessions Court Judge, at Thirupathur.
- 2.The Inspector of Police,
Jolarpettai Police Station.
- 3.The Superintendent of Prison,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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