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CrI.OP.No.359 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

CrI.O.P.No.359 of 2026

1. Selvakumar

2. Mani @ Subramani

... Petitioners

Vs.

State Represented by its
Station House Officer,
Orleanpet Police Station,
Puducherry.
(Cr.No.218 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in
Cr.No.218 of 2025 on the file of the respondent police.

For Petitioners : Mr.K.Kannadhasan

For Respondent : Mr.M.V.Ramachandra Murthy
Government Advocate (CrI. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody
on 01.10.2025 for the alleged offence under Sections 126(2), 191(3),109(1),



103(1) of BNS, r/w 190 of BNS in Crime No.218 of 2025 on the file of the respondent police, seek bail.

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2. The allegation against the petitioners is that the petitioners along with other accused have waylaid the vehicle used by the defacto complainant and deceased in this case and started attacking him due to previous enmity. Further, while the deceased trying to ran away from there, these persons once again chased him and attacked him with knife and committed murder, hence they were arrested, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are not having any specific overt act. The overt act is attributed only against A1 in this case and the petitioners are in judicial custody from 01.10.2025 and hence prays to grant bail to the petitioners.

4. The learned Public Prosecutor(Puducherry) appearing for the respondent police reiterated the prosecution case and reported that the petitioners are ranked as A6 and A8in this case. He further submitted that the petitioners also directly involved in this case and also having specific overt act of attacking the deceased on his head with knife. He further submitted that investigation has been completed and final report also filed. However, he opposed to grant bail to the petitioners.



5. I have also gone through the materials, which revealed that this is the 3rd bail petition. The 2nd bail petition in Crl.OP.No.33648 of 2025 vide order dated 09.12.2025 was dismissed, since investigation was pending, Now, it is reported by the learned Public Prosecutor (Puducherry) that investigation has been completed and final report also filed.

6. Considering the submissions made by the learned Public Prosecutor and also the previous case reported is under Section 379 of IPC, I am inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing bonds 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-II, Puducherry** 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 petitioners shall report before the respondent police daily at 10.30a.m., for a period of two weeks and thereafter as and required for interrogation

[c] the petitioners shall make themselves 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]**;



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

09.01.2026

Vv

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-II, Puducherry***
2. The Station House Officer,
Orleanpet Police Station,
Puducherry.
3. The Central Prison
Puducherry
4. The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

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