



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.391 of 2026

1.Nithin Babu
2.M.Subeesh

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Vadakkipalayam Police Station,
Coimbatore District.
(Crime No.193 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.193 of 2025 on the file of the respondent police.

For Petitioners : Mr.W.Camyles Gandhi

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

ORDER

The petitioners were arrested and remanded to judicial custody on 27.11.2025 for the offences punishable under Sections 280, 287, 293, 132, 351(2) of BNS alter into Sections 280, 287, 293, 132, 351(2) of BNS altered to Sections 280, 287, 293, 132, 351(2), 126(2), 3(5), 112(2) of BNS, in Crime



No.193 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioners is that they are ranked as A3 and A4 in this case and that they were involved in transporting alleged hazardous waste from the State of Kerala and dumping it to the nearby land and setting it on fire, which resulted in environmental pollution causing hardship to the villagers. It is further alleged that when the villagers questioned A5 in this regard, the petitioners also threatened them with dire consequences. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are in judicial custody since 27.11.2025 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners are not having any previous cases and that the investigation is still pending. Hence, he opposed to grant bail to the petitioners.

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

6. Considering the submissions made by the learned counsel on both sides, the nature of the allegations, and the fact that the petitioners have no previous



case against them and considering the period of their incarceration, this is inclined to grant bail to the petitioners with certain conditions.

WEB COPY

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pollachi 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 petitioners 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.

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

[d] the petitioners 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 petitioners 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.

09.01.2026

drl

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 No.I,
Pollachi.
- 2.The Inspector of Police,
Vadakkipalayam Police Station,
Coimbatore District.
- 3.The Superintendent,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



K. RAJASEKAR, J.

drl

Crl.O.P.No.391 of 2026

09.01.2026