



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.2250 of 2026

1.Rohan
2.Sanjay

... Petitioners

-VS-

The State Rep by,
Station House Officer,
Chidambaram Town Police Station,
Cuddalore – 600 004.
(Crime No.364 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.364 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Ganesh Pandian

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.12.2025 for the offences punishable under Sections 296(b), 351(2) of BNS, 2023 and Section 4 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 read with Section 3 of the Explosive Substances Act, 1908, in



Crime No.364 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the first petitioner and the victim girl were studying in the same college. The first petitioner had taken photos of the victim girl when she was in the college, the same was questioned by the victim girl, for which the petitioner misbehaved with her. Due to which a complaint was lodged. Thereafter, the petitioner threatened the parents of the victim girl to withdraw the complaint. However, the parents of the victim girl refused to withdraw the complaint due to which the petitioner along with other accused set fire to the car belonging to the victim's family worth about Rs.10 lakhs. Hence, a case has been registered and the petitioner was arrested.

3. Earlier this Court dismissed the bail petition filed by the petitioner in CrI.OP.No.436 of 2026 dated 09.01.2026 on the following reasons:

“6. Considering the facts of the case and the car that the petitioner along with other accused had set fire to the Maruti Car worth about Rs.10,00,000/- and investigation in this case is still pending, this Court is not inclined to grant bail to the petitioner.”

4. This is the successive bail petition. Now, the learned counsel for the petitioners submitted that both the petitioners are students and that the presence of the second petitioner, namely Sanjay, is not stated in the FIR as unknown persons and that he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioners.

5. The learned Government Advocate (CrI.Side) reiterated the prosecution



case and submitted that though the second petitioner's name is not stated in the FIR, during the course of investigation it was revealed that the accused had also joined the main accused in the commission of the offence. He further submitted that even though they were not named in the FIR, nor shown as unknown persons therein, their involvement was subsequently established during investigation. Hence, he opposed to grant bail to the petitioners.

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the period of incarceration undergone by the second petitioner, this Court is inclined to grant bail to the second petitioner. As far as the first petitioner is concerned, he is having specific overt act, hence, this Court is not inclined to grant bail. Accordingly, this Criminal Petition is dismissed as far as the first petitioner, namely Rohan is concerned.

7. Accordingly, the second petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.**25,000/- (Rupees Twenty Five Thousand only)** with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Chidambaram** 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;



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

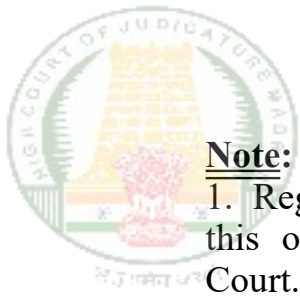
[d] the second petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second 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.

02.02.2026

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.II,
Chidambaram.
2. Station House Officer,
Chidambaram Town Police Station,
Cuddalore – 600 004.
- 3.The Superintendent,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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