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Crl.O.P.No.2855 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.2855 of 2026

1. Marimuthu
2. Kaasi @ Vellaipandi

... Petitioners/ A2 & A3

Vs

The State rep. by,
The Inspector of Police,
Annur Police Station,
Coimbatore.
(Crime No.282 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.282 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. A. Arun

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



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 309(6) and 311 of BNS in Crime No.18 of 2026, registered on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 11.06.2025, the petitioner herein along with other accused waylaid the defacto complainant and his friends and demanded money; that while the same was refused, the petitioner and other accused abused and attacked them using knife and robbed a sum of Rs.16,000/- and three mobile phones from them. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they are in judicial custody since 12.06.2025; that the investigation of this case was completed and charge sheet has been filed; that the co-accused/ A1 in this case was already granted bail by this Court, vide order dated 30.01.2026 in Crl.O.P.No.2143 of 2026; and that the petitioners are ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and submitted that there are totally three accused involved in this case and the petitioners herein are arrayed as A2 and A3; that the first petitioner/ Marimuthu has 15 previous cases and the second petitioner/ Kaasi @ Vellaipandi has three previous cases; that only part of the money has been recovered; and that the investigation of this case was completed and final report filed in P.R.C.No.12 of 2025 on the file of the learned District Munsif-Cum-Judicial Magistrate, Annur.

5. I have considered the submissions made on both sides and perused the materials available on record.

6. Though it is stated that the investigation of this case was completed and final report filed and the co-accused/ A1 in this case was already granted bail by this Court in Crl.O.P.No.2143 of 2026, considering the fact that the first petitioner herein/ Marimuthu is having 15 previous cases, this Court is not inclined to grant bail to the first petitioner/ Marimuthu, **accordingly the bail application towards the first petitioner/ Marimuthu is hereby dismissed.**



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6. As far as the second petitioner/ Kaasi @ Vellaipandi is concerned, though it is reported that he has 2 previous cases, taking note of the period of incarceration undergone by the him, **this Court is inclined to grant bail to the second petitioner/ Kaasi @ Vellaipandi with certain conditions.**

7. Accordingly, the second petitioner/ Kaasi @ Vellaipandi 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 each**, for a like sum to the satisfaction of the **learned District Munsif-Cum-Judicial Magistrate, Coimbatore** 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 petitioner/ Kaasi @ Vellaipandi shall report before the respondent police everyday at 10:30 a.m., until further orders;**

[c] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 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 SCC 283]**;

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

06.02.2026

stn

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.

K. RAJASEKAR, J.

stn



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To

1. The District Munsiff-Cum-Judicial Magistrate,
Coimbatore.
2. The Inspector of Police,
Annur Police Station,
Coimbatore.
(Crime No.282 of 2025)
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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