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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30688 of 2026

CNR: {HCMA012561242026}

Nithesh Anand
S/o Anandaraj,
No.B-24, Bokharo Street,
Block NO.26, Neyveli,
Cuddalore.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Neyveli Township Police Station,
Cuddalore.
Crime No.235 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner herein on bail in Crime No.235 of 2026 on the file of the Inspector of Police, Neyveli Township Police Station, Cuddalore.

For Petitioner(s): Mr.R.Karthikeyan

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.08.2026 for the alleged offence under Sections 191(2), 191(3), 296(b), 126(2), 127(2), 118(1), 351(3), 109 and 103(1) of BNS, 2023, in Crime No.235 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 16.08.2026, due to previous enmity, the accused persons attempted to attack Anandharaj. When the deceased Naresh intervened, accused 1 and 2 attacked the deceased on his head with a knife resulting in his death. The petitioner also allegedly attacked Anandharaj. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, aged 19 years and has been falsely implicated in the present case and that he has not at all involved in the occurrence and he is a friend of the brother of the deceased. He further submitted that the co-accused have already been granted bail by this Court in Crl.OP.No.30082 of 2026 dated 15.10.2026. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the specific overt act against the petitioner is that he waylaid the deceased and that he was also present in the said occurrence. He further submitted that the investigation is almost completed. However, he opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. On perusal of the FIR, it is seen that the petitioner name is not found place in the FIR. However, it is submitted by the learned counsel for the respondent that the petitioner was present in the said occurrence and waylaid the deceased. Except that, there is no specific overt act against the petitioner. Considering the nature of the allegations, the period of incarceration of the petitioner and the fact that the co-accused have already been released on bail and also considering the age of the petitioner, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

7. Accordingly, the 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 District Munsif cum Judicial Magistrate, Neyveli, Cuddalore District,** 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 shall report before the respondent police twice daily at 10.30 a.m., and 5.30 p.m., until further orders;**
>
> [c] the petitioner shall not abscond either during investigation or trial;

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

[e] On breach of any of the aforementioned 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];**

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

23-10-2026

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.

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Order QR

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To

1. The District Munsif cum Judicial Magistrate, Neyveli, Cuddalore District.

2. The Inspector of Police
Neyveli Township Police Station,
Cuddalore.

3.The Superintendent, Central Prison,
Cuddalore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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