Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP Nos. 34913 & 34919 of 2026

CNR: {HCMA012849232026}

In Crl.O.P.No.34913 of 2026

Case QR

Rakesh
S/o Arumugam,
No.1/7, Ragavendra Nagar,
Rangampettai Gate,
K.V.Kuppam,
Vellore District,
Tamil Nadu.

..Petitioner(s)

Vs

The State Represented by The Assistant Sub-Inspector of Police
RPF Katpadi,
Vellore District,
Tamil Nadu.
Crime No.723/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime.No.723/2026 pending investigation on the file of the respondent police and thus render Justice.

For Petitioner(s): E.Kannadasan
For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

In Crl.O.P.No.34919 of 2026

Rakesh
S/o Arumugam,
No.1/7, Ragavendra Nagar,

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Rangampettai Gate,
K.V.Kuppam,
Vellore District.
Tamilnadu.

..Petitioner(s)

Vs

The State Rep by The Assistant Sub Inspector of Police
RPF Katpadi,
Vellore District.
Tamilnadu.
Crime No.725 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime no.725 of 2026 pending investigation on the file of the Respondent Police.

For Petitioner(s): E.Kannadasan
For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

COMMON ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.10.2026 for the alleged offence under Sections 147, 153 of Railways Act, in Crime Nos.723 & 725 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is involved in two similar incidents of stone-pelting on running trains. Firstly, on 08.10.2026 at about 05.45 p.m., while Express Train No.16223 was proceeding between Latteri and Katpadi Railway Stations, an unknown person pelted stones at the running train, resulting in the breakage of the window glass of Coach A2.

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Though no one sustained injuries in the said incident, the damage to railway property was assessed by the authorities at Rs.2,792/-. Secondly, on 11.10.2026 at about 05.50 p.m., while Express Train No.12607 was proceeding between Latteri and Virinjipuram Railway Stations, an unknown person again pelted stones at the running train towards Coach D5 (Seat No.55), causing a minor injury on the right elbow of a passenger named Nithya, who was travelling from Walajah Road to Bangarpet. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, has been falsely implicated in the present case on mere suspicion, and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 16.10.2026, and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prayed for the grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed the grant of bail. Upon instructions, he reiterated the prosecution case and submitted that the petitioner indulged in dangerous acts of pelting stones at running trains, endangering the safety of passengers and causing damage to public property. Submitting that the investigation is still pending and that the petitioner may repeat similar offences

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if released on bail, he prayed for dismissal of the petition.

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

6. Considering the facts and circumstances of the case, the nature of allegations, the simple nature of the injury sustained by the victim, the stage of investigation, and the period of incarceration already undergone by the petitioner from 16.10.2026, this Court is inclined to grant bail to the petitioner subject to certain stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Vellore,** 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;
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> **[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;**

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

[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.

26-11-2026

MPA

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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To

1.The Judicial Magistrate-I, Vellore

2. The Assistant Sub-Inspector of Police
RPF Katpadi,
Vellore District,
Tamil Nadu.

3.The Superintendent, Central Prison,
Vellore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

MPA

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