



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 22037 of 2026

1. Santhanam
2. Arivazhagan

..Petitioner(s)

Vs

The State
Represented by the Inspector of Police,
Vellore Taluk Police Station,
Vellore.
Crime No.119 of 2026.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 r/w 529 of BNSS, praying to direct the learned Judicial Magistrate No.I, Vellore, to forthwith enlarge the petitioners on bail in Crime No.119 of 2026 on the file of the Respondent police and consequently direct the immediate release of the petitioner from judicial custody.

For Petitioner(s): Mr.P.Rajkumar

For Respondent(s): Mr.R.Rajasekaran,
Government Advocate (Crl. Side)



ORDER

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This Criminal Original Petition is for a direction to direct the learned Judicial Magistrate No.I, Vellore, to forthwith enlarge the petitioners on bail in Crime No.119, of 2026 on the file of the respondent Police.

2. The contention of the learned counsel for the petitioners is that the accused were produced at the residence of the learned Magistrate at 11.00 p.m. yesterday. At that time itself, when the bail was sought to be moved on behalf of the accused, the same was not entertained.

3. Today, when the bail application is presented, it is alleged that the Court has expressed opinion that it will enlarge the petitioners tomorrow. The petitioners have come before this Court by way of this urgent petition.

4. I have heard the learned Government Advocate (Crl. Side), who would submit that when the petitioners/accused have been duly apprehended and produced before the Court and were sent to judicial custody, it is for them to file appropriate bail application even with reference to the bailable offences before the Trial Court.



5. The matter is moved as a lunch motion and neither the learned Government Advocate (Crl. Side) has occasion to get the actual instructions nor the facts are clearly mentioned before this Court that the bail application was filed yesterday night or today morning. However considering the fact that all the three offences for which the case is registered, namely, 296(b), 115(2) and 351(2) are bailable in nature and therefore the valuable right of personal liberty of the accused should not be curtailed even by way of making detailed enquiry by this Court, by calling for the report and granting time to get instructions etc.

6. In view of the fact that all the three offences mentioned are bailable in nature, treating this as a peculiar and extraordinary case, this Court is enlarging the petitioners on bail on the following conditions:

- i) The petitioners shall execute a bond for a sum of Rs.2,000/- (two thousand only) each and with two sureties for a like sum.
- ii) The accused shall appear before the respondent Police once in a week for three weeks on every Monday at 10.30 a.m. and thereafter appear before the respondent Police as and when required.
- iii) It is made clear that upon uploading the web copy of the order and presenting the same before the learned Judicial Magistrate No.I, Vellore, the petitioners will be permitted to produce the



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sureties and it is for the learned Magistrate to scrutinise the sureties and process further proceedings in accordance with law.

Accordingly, this Criminal Original Petition is disposed of.

06-08-2026

Neutral Citation: No
PVS

To

1. The Judicial Magistrate No.I, Vellore

2. The Inspector of Police
Vellore Taluk Police Station,
Vellore Crime No.119 of 2026.

3. The Public Prosecutor,
High Court, Madras



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D.BHARATHA CHAKRAVARTHY, J.

PVS

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