



WEB COPY



Crl.O.P.No.1118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.1118 of 2025

Vicky @ Vignesh

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
S.H.O, Neyveli Thermal Police Station,
Cuddalore District.
Crime No.182 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
pleaded to enlarge the petitioner on bail pending investigation in Crime
No.182 of 2024, on the file of the respondent police.

For Petitioner : Mr.D.Balaji

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner/Accused-1, who was arrested and remanded to
judicial custody on 30.08.2024, for the alleged offence under Sections 109 &



CrI.O.P.No.1118 of 2025

74, 115(2), 118(1), 140(1), 191(2), 191(3), 296(b), 351(3) of BNS @ 109, 115(2), 118(1), 140(1), 191(2), 191(3), 296(b), 351(3) and 60 of BNS, in Crime No.182 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.08.2024 at about 2.00 p.m, due to previous enmity, there was a wordy quarrel between the petitioners and the defacto complainant, for which, the petitioner along with other accused attacked the defacto complainant by using a iron pipe and knife, thereby causing injuries to him. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that this is the second bail application filed by the petitioner. The earlier bail application was dismissed by this Court on 04.10.2024, on the ground that the petitioner was detained under Act 14 of 1982. He further submitted that the petitioner is an innocent person, and due to previous enmity, he has been falsely implicated in this case. He has not committed any offence as alleged in the FIR. He would further submit that the detention order was set aside by this Court in HCP.No.2629 of 2024 dated 17.12.2024. He would further submit that the co-accused were already granted bail by this Court; and that



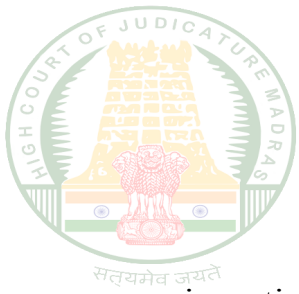
Crl.O.P.No.1118 of 2025

the petitioner was arrested and is in judicial custody from 30.08.2024 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally 8 accused in this case and the petitioner is arrayed as A1. He further submits that due to previous enmity, there was a wordy quarrel between them, for which, on the date of the alleged occurrence, the petitioner along with other accused attacked the defacto complainant by using a iron pipe and knife, thereby causing injuries to him; and that the injured was discharged from the hospital; and that the petitioner has 9 previous cases pending against him; and that investigation is completed and the charge sheet has also filed. However, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the representation made by both side counsel,



CrI.O.P.No.1118 of 2025

WEB COPY

investigation was already completed, and the injured was also discharged from the hospital, co-accused were already released on bail by this Court, though the petitioner has 9 previous cases, all are not similar kind of offence, and in all the cases, he has been released on bail, and considering the numbers of days incarceration by the petitioner from 30.08.2024 and already the petitioner was detained under Act 14 of 1982 and thereafter the order was set aside by this Court, and also considering all other factors, this Court is inclined to grant bail to the petitioner. 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Neyveli, Cuddalore District, and on further conditions that:-

[a] the petitioner shall report before the concerned Jurisdictional Magistrate, on all working days at 10.30 a.m., until further orders.

[b] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;



CrI.O.P.No.1118 of 2025

WEB COPY

[c] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[d] the Petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioner in accordance with law as if the 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)AIR SCW 5560]; and

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

21.01.2025

drl



WEB COPY



Crl.O.P.No.1118 of 2025

P.DHANABAL, J.

drl

To

- 1.The District Munsif cum Judicial Magistrate,
Neyveli, Cuddalore District.
- 2.The Inspector of Police,
S.H.O, Neyveli Thermal Police Station,
Cuddalore District.
- 3.The Superintendent,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.1118 of 2025



WEB COPY



Crl.O.P.No.1118 of 2025

21.01.2025