



Crl.O.P.No.928 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.928 of 2025

Vijayakumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.

(Crime No.473 of 2024)

... Respondent

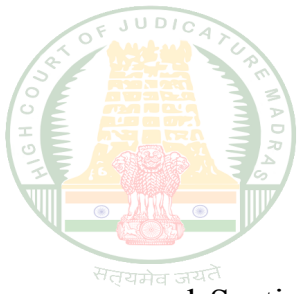
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.473 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Balaji

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.473 of 2024 registered for the offences punishable under Sections 118(1), 392(4), 296(b), 324(4), 351(3) of BNS r/w Sections 109, 191(2), 191(3), 296(b), 324(4), 329(4), 351(3) of BNS



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and Section 4 of TN Prohibition of Harassment of Women Act, is on board for consideration.

2. The incarceration of the petitioner/A1 being from 03.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is in no way connected with the alleged offence and the de facto complainant had lodged a false complaint against the petitioners and their friends only as a retaliation to the complaint lodged by the petitioner's gang in Crime No.156 of 2024 against the de facto complainant and others. He also submits that this is the second application for bail filed by the petitioner before this Court and since the petitioner was detained under Act 14, his first bail application in Crl.O.P.No.29667 of 2024 stands closed. He further submits that the detention order dated 27.11.2024 passed against the petitioner was also revoked by the Advisory Board on 09.01.2025. He also submits that some of the co-accused have also enlarged on bail by this Court and the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that this is the second bail application of the petitioner before this Court



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and as far as this case is concerned, it is a case and a case in counter, where, due to the previous enmity, both the de facto complainant gang and the petitioners' assaulted each other and due to which, they sustained injuries and admitted at hospital. He further submits that the investigation is still pending in this case and the injured have been discharged from the hospital. He also submits that several previous cases are pending against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and taking note of the period of incarceration undergone by the petitioner and that the co-accused have been released on bail, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Arani, Tiruvannamalai District**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall stay at Chennai and report before the Inspector of Police, D1 Triplicane Police Station, everyday at 10.30 a.m., until further orders. It is made clear that the petitioner shall not enter into the jurisdictional limits of the respondent Police, until further orders;

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

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

[e] On breach of any of the aforesaid conditions, the learned 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]***;

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

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To

1. The Judicial Magistrate, Arani,
Tiruvannamalai District.
2. The Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
3. The Superintendent,
Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
D1 Triplicane Police Station,
Chennai.



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A.D.JAGADISH CHANDIRA.,J.

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