



Crl.O.P.No.1343 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-01-2025

CORAM

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

CRL OP NO. 1343 of 2025

Asif Baig

... Petitioner(s)

Vs

State Rep By,
Inspector Of Police
Vellore North Law And Order Police Station,
Vellore District.
(Cr.No. 517/2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.517 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.J.Prakasam

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



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ORDER

Heard the learned counsel on either side.

2. The petitioner stands accused in Crime No. 517 of 2024 on the file of respondent police for the offences under Sec.296(b), 324(4), 355 of The Bharatiya Nyaya Sanhita (BNS), 2023 r/w 3 (1) The Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 and 4(1)(C) Tamil Nadu Prohibition (Amendment) Act, 2024. He was arrested on 26.12.2024. The specific allegation against him is that in a drunken mood, he along with other accused have created nuisance in the public as if they belong to political party viz., Hindu Munnani Party, wherein created damage to the public property worth about Rs.4000/- .

3. Taking into account the over all facts and circumstances, I am of the view that the petitioner's continuity of incarceration will not serve any purpose. Hence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-



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(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 **learned Judicial Magistrate Court No.IV, Vellore** and on further conditions that:-

[b] the sureties shall affix their photographs and left thumb impression in the surety bond and the learned trial judge may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate



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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 BNS.

17.01.2025

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To

- 1.The Judicial Magistrate No.IV,
Vellore.
- 2.The Inspector of Police,
Vellore North Law And Order Police Station,
Vellore District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

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