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Crl.O.P.No.3904 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3904 of 2025

Vimal Sharma

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.
(Crime No.26 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.26 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Selvam

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 22.01.2025, seeking bail in Crime No.26 of 2025 registered for the offence under Sections 296(b), 126(2) of BNS and Section 3(1) of TNPPDL [294(b), 341 of IPC]



Crl.O.P.No.3904 of 2025

2. The case of the prosecution is that on the date of occurrence, the accused persons restrained the Government Bus and abused the driver in filthy language and also caused damages to the backside mirror of the bus. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 22.01.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution cases and submitted that there are two previous cases against the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



6. Considering, the nature of allegation; period of incarceration; petitioner is on bail in other cases and since further custody is not required for the purpose of investigation in this case, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 **District Munsif Cum Judicial Magistrate, Kalasapakam**, 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;

(b) the petitioner shall **deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.26 of 2025** before the *learned* **District Munsif Cum Judicial Magistrate, Kalasapakam**.

[c] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[d] the petitioner shall not abscond either during



CrI.O.P.No.3904 of 2025

investigation or trial;

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

[f] 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]***;

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

17.02.2025

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To



CrI.O.P.No.3904 of 2025

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1. District Munsif Cum Judicial Magistrate, Kalasapakam
2. The Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.
3. The Superintendent,
Sub Jail, Porur
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.3904 of 2025

SUNDER MOHAN., J.

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Crl.O.P.No.3904 of 2025

17.02.2025