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Crl.O.P.No.10316 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

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**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.10316 of 2025

Vijayakumar

...Petitioner/Accused

Vs.

State rep by  
The Inspector of Police,  
Oragadam Police Station,  
Kancheepuram.

(Crime No.54 of 2025)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.54 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Parthiban  
for Mr.M.Jaikumar

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 20.02.2025, seeking bail in Crime No.54 of 2025 registered for the offence under Sections 296(b), 115(2), 118(1), 109(1), 351(3) of BNS, 2023.

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2.It is the case of the prosecution that the accused and the defacto complainant are relatives; that on 13.02.2025, while the defacto complainant was in the death ceremony of his uncle and talking to his relatives, the petitioner along with the other accused, abused the defacto complainant and one Jagadeesan in filthy language, assaulted them and caused grievous injuries to the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the earlier bail petition filed by the petitioner was withdrawn since the injured was in hospital and now the injured has been discharged from the hospital; and that in any case, the petitioner is in custody from 20.02.2025 and hence, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact that the injured was discharged from this hospital; and that there are two previous cases pending against the



petitioner and he is on bail in those cases.

**WEB COPY** 5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration, the fact that the injured has been discharged from the hospital, the fact that the petitioner and the defacto complainant are neighbours, the petitioner is on bail in the previous cases and since further custody of the petitioner is not required for the purpose of investigation, 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 **Judicial Magistrate, Sriperumbudur**, 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 stay at Trichy and report before the Inspector of Police, Trichy Cantonment Police Station, everyday at 10.30 a.m., 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 B.N.S.

07.03.2025

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Copy to:

- 1.The Inspector of Police,  
Oragadam Police Station,  
Kancheepuram.
- 2.The Judicial Magistrate, Sriperumbudur.
- 3.The Superintendent of Prison,  
Central Prison, Puzhal.
- 4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**

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