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Crl.O.P.No.8702 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8702 of 2025

Vignesh @ Vicky

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.

(Crime No.56 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.56 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.Jagan

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 02.03.2025, seeking bail



in Crime No.56 of 2025 registered for the offence under Sections 126(2), 296(b), 118(1), 351(3) of BNS, 2023.

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2.It is the case of the prosecution that on 01.03.2025 at about 10.30 p.m., while the defacto complainant was standing in a fast food centre, at that time, the petitioner, who was in a drunken state, fell on the defacto complainant; that when the defacto complainant questioned the same, the petitioner had abused the defacto complainant in filthy language, assaulted him with wooden stick and hands and caused injuries. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the injured has been treated as an out patient; and that in any case, the petitioner is in custody from 02.03.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are six previous cases pending against the petitioner and he is on bail in those cases and that the injured has been treated as out patient.



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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 petitioner is on bail in the previous cases, the fact that the injured has been treated as out patient 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 their 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 **II Metropolitan Magistrate Court, Egmore, Chennai**, 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 report before the respondent Police,
everyday at 10.30 a.m., until further orders;

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

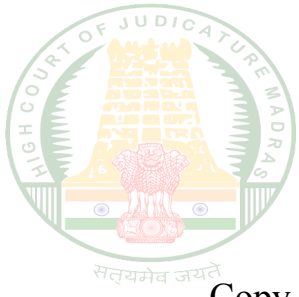
[d] the petitioner shall not tamper with evidence or witness either
during investigation or trial;

[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.

24.03.2025

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Copy to:

- 1.The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.
- 2.The II Metropolitan Magistrate, Egmore, Chennai.
- 3.Central Prison, Puzhal-2.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.8702 of 2



SUNDER MOHAN, J.

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