



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.12350 of 2025

1.Venkatesan
2.Vijayakumar

...Petitioners/Accused 6 & 1

Vs.

State rep by
The Inspector of Police,
Ambur Taluk Police Station,
Tirupathur District.

(Crime No.78 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.78 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.Swamisubramanian

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 04.04.2025, seeking bail



in Crime No.78 of 2025 registered for the offence under Sections 109(296(b), 351(3) of BNS, 2023 @ 109(1), 296(b), 351(3), 61(2) of BNS, 2023.

2.It is the case of the prosecution that there was previous enmity between A8 and the defacto complainant in respect of property dispute; that on 26.03.2025 at about 9.30 p.m., while the defacto complainant and his friend were going in a two wheeler near Periyanguppam TAW Company, the petitioners along with the other accused, waylaid the defacto complainant, abused him in filthy language, assaulted him with knife on his back and caused grievous injuries and attempted to commit murder on him. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent; that the injured has been discharged from the hospital; that petitioners have no bad antecedents; and that the petitioners are in custody from 04.04.2025 and hence, further custody of the petitioners is not required and sought for bail.

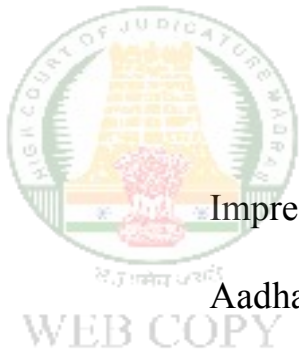


4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the injured has been discharged from the hospital and that the petitioners have no bad antecedents.

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

6.Considering the nature of allegations, the period of incarceration, the fact that the injured has been discharged from the hospital, the petitioners have no bad antecedents, and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **District Munsif cum Judicial Magistrate, Ambur, Tirupattur 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;

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

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

29.04.2025

ata



Copy to:

- 1.The Inspector of Police,
Ambur Taluk Police Station,
Tirupathur District.
- 2.The District Munsif cum Judicial Magistrate,
Ambur, Tirupattur District.
- 3.The Superintendent of Prison, Central Prison, Vellore.
- 4.The Public Prosecutor, High Court, Madras.



WEB COPY

Crl.O.P.No.12350 of 2



SUNDER MOHAN,

ata

Crl.O.P.No.12350 of 2025

29.04.2025