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Crl. O.P. No.13883 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.13883 of 2025

Manikandan @ Makka Mani S/o. Ellappan

... Petitioner / Accused

Vs.

The State represented by:

The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
(Crime No.61 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.61 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. G. Nirmal Krishnan

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

ORDER

This Criminal Original Petition has been filed by the petitioner/accused, who was arrested and remanded to judicial custody on 25.03.2025, seeking bail in Crime No.61 of 2025 registered for the offences under Sections 329(4), 294(b), 115(2), 118(1) and 351(3) of B.N.S.



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2. The case of the prosecution is that the petitioner and the defacto complainant are relatives; that the petitioner borrowed a sum of Rs.1 lakh from the defacto complainant's husband and did not repay the amount; that when the same was questioned by the defacto complainant, there was dispute between the parties; that the petitioner trespassed into the house of the defacto complainant, abused her in filthy language, assaulted the defacto complainant and her son and also threatened him of dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he has been falsely implicated in this case; that the petitioner is in custody from 25.03.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and confirmed the fact that the injured was discharged from the hospital; and that the petitioner has no bad antecedents.



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5. Considering the aforesaid facts, nature of allegations, period of incarceration, the fact that the petitioner has no bad antecedents and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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, Additional Mahila Court, Vellore** 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;

[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



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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 B.N.S.

30.04.2025

mjs

To

1. The Judicial Magistrate, Additional Mahila Court, Vellore.
2. The Inspector of Police, Vellore Taluk Police Station, Vellore District.
3. The Superintendent of Police, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.
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