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CRL OP No. 15105 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15105 of 2025

1. Velu @ Velan
s/o.Duraisamy, No.105, Madukarai
main road, karikalampakkam post,
Puducherry-605 007.

Petitioner(s)

Vs

1. The State Rep. by the Inspector of
Police,
Vellore South Law and Order Police
Station, Vellore District, Crime No.242
of 2024

Respondent(s)

For Petitioner(s): Mr.S.Silambuselvan

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

**ORDER**

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Petition seeking bail in connection with Crime No.242 of 2024 registered for the alleged offences punishable under Sections 147, 148, 294(b), 324, 506(ii) 307 of IPC @ Sections 147, 148, 324, 506(ii), 302, 147 of IPC is on board for consideration.

2. The case of the prosecution is that the petitioner along with 8 others had a quarrel with the defacto complainant and assaulted each other. Initially the case was registered for offence under Section 307 of IPC and later altered to Section 302 of IPC. After investigation, chargesheet was filed before the Judicial Magistrate No.1, Vellore, and the case is at committal stage. While so, the petitioner was not able appear on the hearing date due to his ill health and NBW was issued against the petitioner. After surrender, petitioner filed a petition to recall NBW and the same was dismissed and the petitioner was remanded to judicial custody on 01.04.2025. Hence, the case.



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3. The learned counsel appearing for the petitioner submitted that the petitioner could not appear before the Court concerned due to his ill-health and now the petitioner is ready to furnish sufficient surities and abide any conditions that may be imposed by this Court and prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police submitted that the investigation is completed, charge sheet was filed before the learned Judicial Magistrate, Additional District Court (FTS), Vellore and the same has been taken on file in S.C.No.42 of 2025 and opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and taking note of the fact that the period of incarceration undergone by the petitioner, this Court is inclined to grant bail



to the petitioner. Accordingly, the petitioner is ordered to be released on bail

with the following stringent conditions:

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(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate NO.1, Vellore;**

(2) **The petitioner shall appear before the Trial Court on all hearing dates.**

(3) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;



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(6) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

(8) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.05.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**



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To

1. The State Rep. by the Inspector of Police,
Vellore south law and order police station, Vellore district, crime no.242 of 2024.

2. The Judicial Magistrate No.1, Vellore.
3. The Superintendent, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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