



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

WEB COPY

CORAM

THE HON'BLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

Crl.O.P.No.16191 of 2025

1.Dineshkumar

2.Kaviyaran

.. Petitioners/Accused 1&2

Vs.

The State rep by
The Sub Inspector of Police,
Ariyoor Police Station,
Vellore District.

(Crime No.76 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of his arrest in Crime No.76 of 2025 on the file of the respondent
Police.

For Petitioners : Mr.M.R.Thangavel

For Respondent : Mr.L.Baskaran
Government Advocate(Crl.Side)



ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.05.2025 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 @ Sections 296(b), 115(2), 118(1), 109 and 351(3) of BNS, 2023, in Crime No.76 of 2025, seeks bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners along with the other accused abused the defacto complainant in filthy language, threatened him with dire consequences and assaulted him with beer bottle and caused injuries to him. Hence, the case.

3.The learned counsel for the petitioners would submit that the allegations are false. He would further submit that the injured has been discharged from the hospital. He would further submit that the petitioners are in custody from 05.05.2025 and hence, further custody is not required and sought for bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and confirmed that the injured



has been discharged from the hospital and that the first petitioner has no bad antecedents and the second petitioner has two previous cases.

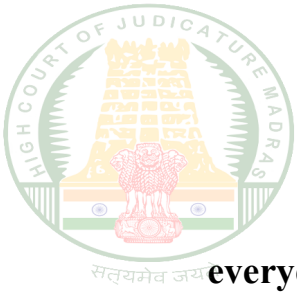
WEB COPY

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 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 petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate – I, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two months and thereafter, as and when required for investigation.

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

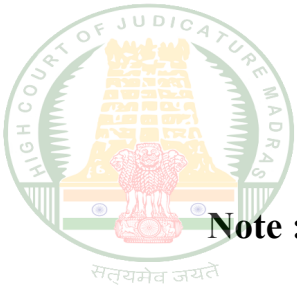
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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.

28.05.2025

ata/rkp



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.

To

1.The Sub Inspector of Police,
Ariyoor Police Station,
Vellore District.

2.Central Prison, Thorapadi, Vellore.

3.The Judicial Magistrate – I, Vellore.

4.The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY

Crl.OP.No.16191 of 2



K. GOVINDARAJAN THILAKAVADI, J.
ata/rkp

Crl.O.P.No.16191 of 2025

28.05.2025