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Crl.O.P.No.17223 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17223 of 2025

1.Harish Kumar
2.Hariharan

... Petitioners/A1 & A2

Vs.

State Rep. by
The Inspector of Police,
Vellore South Law & Order Police Station,
Vellore, Vellore District.
(Crime No.99 of 2025)

... Respondent

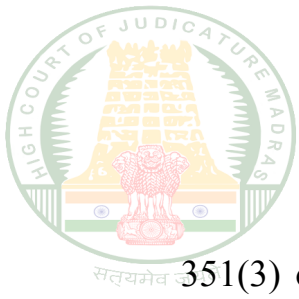
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.99 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Vinodhkumar

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 24.05.2025, for the offences punishable under Sections 296(b),



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351(3) of BNS, 2023 and Section 25(1A) of Arms Act in connection with Crime No.99 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners filmed the video with knife and posted the same on Instagram. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are law abiding citizens. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and he prays for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that in this case totally there are three accused, the petitioners are ranked as A1 and A2, A3 is a juvenile. He further submitted that 5 knives were recovered from these petitioners and the petitioners have got no previous cases.



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5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations and the period of incarceration undergone by the petitioners, 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 a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Vellore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall visit the **Casualty Ward in Government Hospital, Hosur** and to be present in the Casualty Ward everyday from **10.00 a.m. to 5.00 p.m.** for a period of two weeks. The respondent police to ensure that the petitioners are



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present in the Casualty Ward in the hospital;

[c] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 the official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate No.I,
Vellore.

2.The Inspector of Police,
Vellore South Law & Order Police Station,
Vellore, Vellore District.

3.The Superintendent,
Central Prison,
Vellore.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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