



Crl.O.P.No.18526 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18526 of 2025

Bharath Kumar

... Petitioner/A3

Vs.

The State rep by
The Inspector of Police,
T-17 Perumbakkam Police Station,
Tambaram Commissionerate.

... Respondent

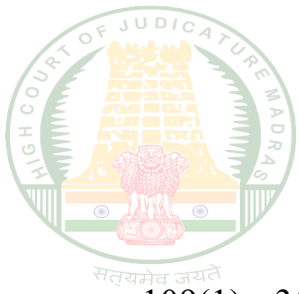
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending
investigation in Crime No.201 of 2025 on the file of the Respondent police.

For Petitioner : Mr.V.Madhan

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
28.05.2025, for the offences punishable under Sections 126(2), 296(b), 118(1),



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109(1), 351(3) of BNS, 2023 in connection with Crime No.201 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that there was a wordy quarrel between the de-facto complainant and accused persons. The petitioner and other accused beaten the de-facto complainant, thereby he sustained head injury and still taking treatment in the hospital. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused/A2 has been released on bail by the Sessions Court in Crl.M.P.No.1514 of 2025 on 10.06.2025. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner submitted that when the petitioner and other accused were consuming alcohol, the de-facto complainant, who is a driver was present in the scene of occurrence. The



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petitioner and other accused questioned the de-facto complainant as to why he is staring on them and attacked him brutally. He further submitted that the victim is now taking treatment for further surgery. He further submitted that the co-accused/A2 has been released on bail by the Sessions Court in Crl.M.P.No.1514 of 2025 on 10.06.2025.

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

6. Considering the submissions made on either side and the period of incarceration undergone by the petitioner and the fact that the co-accused/A2 has been released on bail by the Sessions Court in Crl.M.P.No.1514 of 2025 on 10.06.2025, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a 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.II, Alandur**, and on further conditions that:



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[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;

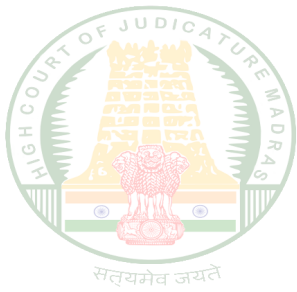
[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for further interrogation;

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

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

[e] 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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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.II,
Alandur.
- 2.The Inspector of Police,
T-17 Perumbakkam Police Station,
Tambaram Commissionerate.
- 3.The Superintendent,
Sub Jail, Saidapet.
- 4.The Public Prosecutor,
High Court of Madras.

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M.NIRMAL KUMAR, J.

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