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Crl.O.P.No.20423 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20423 of 2025

Murugan @ Gana Murugan

.. Petitioner

Vs.

The State rep by
The Inspector of Police
Vaniyambadi Town Police Station
Tirupathur District
Crime No. 107 of 2025

... 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.107 of 2025 on the file of respondent police.

For Petitioner : Mr.M.Ganesh

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.05.2025, for the offence punishable under Section 333, 296(b) and 309(6) of BNS, 2023 in Crime No. 107 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that on 06.05.2025, the petitioner along with other accused went to the office of the defacto complainant, who is an Advocate by profession, assaulted him with a knife and also abused him in a filthy language. It is alleged in the FIR that the accused persons also robbed defacto complainant's cell phone and a cash of Rs.65,000/-. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner has not committed any offence as alleged by the prosecution, however, he is suffering incarceration from 07.05.2025. The learned counsel further submitted that today (17.07.2025), the petitioner's sister had passed away and the petitioner needs to attend his sister's funeral ceremony and he is also ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner/A1 was detained under the Goondas Act and later, the same was revoked by the Advisory Board on 16.07.2025. He also submits that petitioner is an habitual offender having 15 previous cases pending against him.



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He submits that the accused persons robbed defacto complainant's cell phone and a cash of Rs.65,000/- to which, the cell phone has been recovered.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, considering the period of incarceration undergone by the petitioner, 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, Vaniyambadi** 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.



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[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 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.

17.07.2025

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Note:Issue order copy on 17.07.2025



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

To

1. The Judicial Magistrate, Vaniyambadi.
2. The Inspector of Police
Vaniyambadi Town Police Station
Tirupathur District
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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