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Crl.O.P.No.23087 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.23087 of 2025

Vishnu

... Petitioner/ A4

Vs

The State rep. by,
The Inspector of Police,
Ambalur Police Station,
Thirupathur District.
(Crime No.109 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.109 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. T. Dhasarathan

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

WEB COPY The petitioner, who was arrested and remanded to judicial custody on 04.07.2025, for the offences punishable under Sections 126(2), 296(b), 115(2), 189(2) and 109 r/w 249(b) and 49 of BNS in Crime No.109 of 2025, registered on the file respondent police, seeks bail. The earlier bail petition of the petitioner in Crl.O.P.No.21278 of 2025 was dismissed by this Court, vide order dated 29.07.2025.

2. The case of the prosecution is that, on account of previous enmity, the petitioner along with other accused assaulted one Ashok Kumar, who is the brother of the defacto complainant; that thereby the said Ashok Kumar sustained grievous injuries and thereafter, succumbed to injuries. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case since, he is the friend of the co-accused. He further submitted that the co-accused/ A6 was granted bail by this Court, vide order dated 29.07.2025 in Crl.O.P.No.21278 of 2025 and the same bail petition was dismissed as



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against this petitioner on the ground that the petitioner was present at the scene of occurrence. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and on instruction submitted that A1's brother one Narasimman was murdered by the deceased/ Ashok Kumar and a case was registered in Crime No.03 of 2025 by the Jolarpet Police Station and in order to wreck vengeance, the petitioner along with other accused murdered the said Ashok Kumar. He also submitted that the A1, A2 and A5 were detained under Tamil Nadu Act 14 of 1982 and the petitioner herein has one previous case under NDPS; and that the investigation is pending.

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

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner, his previous antecedent, the fact that the co-accused was already arrested and released on bail and the



overfact against this petitioner is that he was only present at the scene of occurrence, this Court is inclined to grant bail to the petitioner with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Vaniyambadi, Thirupathur District** 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 stay at Sivagangai and report before the Inspector of Police, Sivagangai Town Police Station daily at 10.30a.m., until further orders. It is made clear that the petitioner shall not enter into the jurisdiction of the respondent police;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to



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Crl.O.P.No.23087 of 2025

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]**;

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

16.09.2025

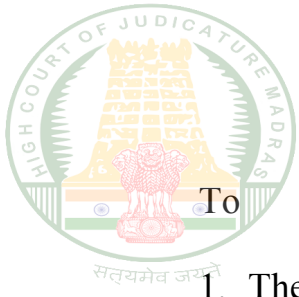
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Note :

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.

K. RAJASEKAR, J.

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Crl.O.P.No.23087 of 2025

WEB COPY 1. The Judicial Magistrate,
Vaniyambadi, Thirupathur District.

2. The Inspector of Police,
Ambalur Police Station,
Thirupathur District.
(Crime No.109 of 2025)

3. The Superintendent,
Central Prison, Vellore.

4. The Public Prosecutor,
High Court of Madras.

5. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

Crl.O.P. No.23087 of 2025

16.09.2025