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CRL OP No. 24603 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24603 of 2025

Vadivelan
S/o.Sigamani,
Anna Street, Chinnathottalam Village
and Post, Gudiyatham Taluk, Vellore
District.

Petitioner(s)

Vs

State By
Inspector of Police,
Melpatti Police Station, Vellore
District. Crime No.107 of 2025

Respondent(s)

CRL OP No. 24603 of 2025

PRAYER

To enlarge the petitioner on bail as against the case pending on the file of the Respondent police in Crime No.107/2025



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For Petitioner(s): Mr. D.Thirumoorthy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.08.2025 for the alleged offence under Section 191(2), 191(3), 296(b), 115(2), 118(1), 109(1) and 351(3) of BNS Act, 2023 r/w Sec. 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 in Crime No.107 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the defacto complainant's brother had borrowed money from the petitioner and had not repaid the said amount. On 09.08.2025, while it was questioned by him, there was a wordy quarrel arose between them and they attacked each other, as a result of which, he sustained injury. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that the entire allegation is false, vindictive, wanton and he is no way connected with the offence. He would submit that he has not at all committed any of offence as alleged by the respondent police and due to previous enmity, he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost



completed and that the petitioner has been suffering incarceration for more than 31 days from 10.08.2025. Hence, he prayed to grant bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that due to money dispute, there was a wordy quarrel between the defacto complainant and petitioner, as a result of which, he assaulted him and sustained injury and now he was discharged from hospital and he is having 7 previous cases. He would submit that that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is almost completed. He would submit that now the injured discharged from the hospital. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances, and also considering the fact that the investigation almost completed and the fact that the injured discharged from the hospital and also considering the period of incarceration undergone by the petitioner from 10.08.2025 for more than 31 days, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.10,000/- (Rupees ten thousand only) into the credit of Crime No.107 of 2025 before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order and on such deposit, the defacto complainant is**



permitted to withdraw the amount on filing undertaking affidavit and on production of proper identification and acknowledgement. On such deposit,

the petitioner is ordered to be released on bail on condition to execute 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 **Judicial Magistrate, Gudiyattam**, and on further conditions that:

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(b) the petitioner shall stay at Salem District and report before the Town Police Station, Salem daily at 10.30 a.m. for period of two months and thereafter, he shall report before the respondent police on every Tuesday at 10.30 a.m. for another period of two months;

(c) the petitioner shall not commit any offences of similar nature;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action



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against the petitioner in accordance with law as if the 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)AIR SCW 5560];

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

10-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Judicial Magistrate, Gudiyatham.
2. Inspector of Police, Melpatti Police Station, Vellore Dt..
3. The Superintendent of Prison, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras, Chennai.

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.



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T.V.THAMILSELVI J.

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