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Crl.OP.No.25418 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25418 of 2025

Thiyagaraju

... Petitioner

Vs.

State Rep by
The Inspector of Police
Fairlands Police Station
Salem District
(Crime No.355 of 2025)

... Respondent

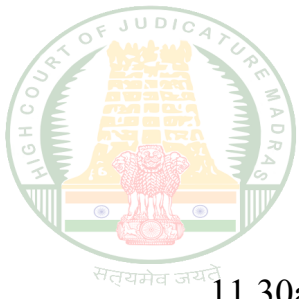
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.355 of 2025 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
26.08.2025 for the alleged offence punishable under Sections 296(b), 132,
324(3) of BNS Act, 2023 and Section 3(1) of TNPPDL Act, in Crime
No.355 of 2025 on the file of the respondent police, seek bail.



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2. The case of the prosecution is that on 26.08.2025 at about 11.30a.m. when the defacto complainant and his police team were in regular patrol duty near Dindigul Velu Briyani situated at Bridhavan Road, the petitioner was riding in his two wheeler i.e., TVS Jupiter bearing Regn.No.TN-90-E-2571 and talking over phone, without wearing helmet. So one of the Head Constable who accompanied the defacto complainant had taken video. On seeing the same, the petitioner had stopped his vehicle and abused the police official in filthy language and also damaged the windshield of the police vehicle worth about Rs.5000/- .

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having one previous case under Section 294(b) of IPC. He Hence, he opposed to grant bail to the petitioner.



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

6. Considering the facts and circumstances of the case, the period of incarceration and his antecedents, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-V, Salem** 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 Inspector of Police, K-10 Police Station, Koyambedu daily at 10.30a.m., for three weeks;

[c] 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



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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

Vv

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-V
Salem.
- 2.The Inspector of Police
Fairlands Police Station
Salem District
- 3.The Superintendent
Central Prison
Salem.
- 4.The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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