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CRL A No. 1515 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1515 of 2025

1. Balaji

S/o. Pazhanivel, No.233/2, Amman
Kovil Street, Pu.Mambakkam
Ulundhurpet, Villupuram district ,
Tamilnadu.

Appellant(s)

Vs

1. The State Represented by, Station
House office,
Ulundhurpet Police Station,
Kallakurichi District.

2.Sanjiv Gandhi

S/o.Poomalai, Maariyamman Koil
street, Mambakkam, Ulundurpet,
Kallakurichi District.

Respondent(s)



PRAYER

To call for the records and to set aside the dismissal order dated 23.09.2025 imposed in CrI.MP.No.2399/2025 passed by the learned Principal Sessions Judge, Kallakurichi in Crime No. 453/2025.

For Appellant(s): R.Vivekananthan
M.Kruthika
J.Sarath Kennedy
J.Mahesh
S.N.S.Sudharshan
Affidavit Of Service Filed

For Respondent(s): Mr.V. Meganathan, Government
Advocate For R1
Court Notice Service Awaited
For R2
Private Notice - Proof Filed -
Served For R2
R-2 SANJIV GANDHI
S/o.Poomalai, Maariyamman
Koil Street, Mambakkam,
Ulundurpet, Kallakurichi
District.

ORDER

This Criminal Appeal has filed this Criminal appeal to set aside the dismissal order dated 23.09.2025 imposed in CrI.MP.No.2399 of 2025 passed by the learned Principal Sessions Judge, Kallakurichi in Crime No. 453 of 2025.



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2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent and perused the materials placed before this Court.

3. The appellants is arrayed as eight accused in Crime No.453 of 2025 on the file of the first respondent registered for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) of BNS r/w 3(1) (r), 3(1)(s), 3(2) (va) of SC/ST (POA) Amendment Act. The allegation against the petitioner is that in the Vinayaka Chathurthi festival there was a wordy quarrel between the petitioner and the defacto complainant which escalated into violence and assault. Hence, the complaint.

4. After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody on 01.09.2025. Thereafter, the petitioner filed a bail application before the learned Principal District and Sessions Judge, Kallakurichi in Crl.M.P.No.2399 of 2025, and the same was dismissed on 23.09.2025. Hence, the appellant filed the present appeal seeking bail.



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5. Considering the above facts and circumstances and also the period of incarceration undergone by the appellant from the date of his arrest i.e., 01.09.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in CrI.M.P.No.2399 of 2025 dated 23.09.2025 on the file of the Principal District and Sessions Judge, Kallakurichi is hereby set aside. This Criminal Appeal stands allowed.

6. The appellant is ordered to be released on bail on his execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties (one surety must be a blood related surety), each for a like sum to the satisfaction of the learned Principal Sessions Judge, Kallakuruchi and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the appellant shall report before the respondent police on every Saturday at 10.30 a.m., for the period of four months.

[c] the appellant shall not abscond either during investigation or trial.

[d] the appellant shall not tamper with evidence or witness either during investigation or trial.



[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

09-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State Represented by, Station
House office,
Ulundhurpet Police Station,
Kallakurichi District.

3. The Principal Sessions Judge,
Kallakurichi

5. The Superintendent of Prison,
Sub Jail, Ulundhurpet

6. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

smn

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