



Crl.O.P.No.32657 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

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**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.No.32657 of 2024

Vijaya Kumar @ Vijay

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
E-1 Mylapore Police Station,  
Chennai 600 004.

(Crime No.295 of 2024).

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.295 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Kamesh

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

**ORDER**

Petition seeking bail in respect of Crime No.295 of 2024 registered for the offences punishable under Sections 126(2), 296(b) and 109 of BNS, is on board for consideration.



CrI.O.P.No.32657 of 2024

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2. The incarceration of the petitioner being from 27.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is in no way connected with the alleged offence, however, due to previous enmity, a false complaint has been given against him. He also submits that even as per the prosecution, no one is injured in this incident. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that due to previous enmity, the petitioner along with other accused, abused the de facto complainant's son and attempted to murder him by assaulting with knife, during which, the de facto complainant's son had escaped. He further submits that the case is under investigation and further, nine previous cases are pending against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner



Crl.O.P.No.32657 of 2024

with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one surety should be a blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **XVI Metropolitan Magistrate, George Town, Chennai**, 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 petitioner shall report before the respondent Police, everyday at 06.30 p.m., until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner 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 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]***;



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Crl.O.P.No.32657 of 2024

**A.D.JAGADISH CHANDIRA.,J.**

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

**07.01.2025**

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To

1. The XVI Metropolitan Magistrate,  
George Town, Chennai.
2. The Inspector of Police,  
E-1 Mylapore Police Station,  
Chennai 600 004.
3. The Superintendent,  
Central Prison -II,  
Puzhal.
4. The Public Prosecutor,  
High Court of Madras.

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