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Crl.O.P.No.30783 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.30783 of 2025

Vijay @ Uppar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Vellore North Police Station,
Vellore District.
(Crime No.295 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.295 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.G.Balamanikandan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 12.09.2025, for the offence punishable under Sections 296(b), 118(1),
351(3) of BNS, 2023 and Section 3(1) of TN Public Property (Prevention of
Damage & Loss) Act, 1992, in Crime No.295 of 2025, registered on the file
of the respondent, seeks bail.



Crl.O.P.No.30783 of 2025

WEB COPY

2. The allegation against the petitioner is that, since the defacto complainant had parked the vehicle near his house, petitioner had damaged the vehicle, which belongs to the corporation. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and due to wordy quarrel, false case has been lodged by the defacto complainant. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the value of the damages caused by the petitioner is to the tune of Rs.4,500/-. He further submitted that, petitioner has five previous cases, out of which, two previous cases are under NDPS Act. Hence, he opposed for grant of bail to the petitioner.

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



Crl.O.P.No.30783 of 2025

WEB COPY

6. Considering the nature of offence committed by the petitioner and taking into account the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, **the petitioner is directed to deposit a sum of Rs.5,000/- to the credit of Crime No.295 of 2025** and on such deposit, 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.IV, Vellore** 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 respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and required for interrogation.



CrI.O.P.No.30783 of 2025

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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 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]**;

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

11.11.2025

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CrI.O.P.No.30783 of 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.

To

1. Judicial Magistrate No.IV, Vellore.
- 2.The Inspector of Police,
Vellore North Police Station,
Vellore District.
- 3.The Central Prison, Vellore
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.30783 of 2025

K.RAJASEKAR, J.

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Crl.O.P.No.30783 of 2025

11.11.2025