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Crl.O.P.No.33146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.12.2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33146 of 2025

Aasaithampi

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Vaippur Police Station,
Thiruvarur District.
(Crime No.128 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.128 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. J.Jawahar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.11.2025, for the offences punishable under Sections 126(2), 296(b), 131 and 351(2) of BNS in Crime No.128 of 2025, registered on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that while the defacto complainant was on regular patrol duty, he quarrelled with the officer and also abused him with filthy language. Hence he was arrested and is in custody.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is under incarceration for a long period



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and it is not a case of attack or damaging the property, it is only a quarrel with the police officer, hence complaint was lodged. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and states that the petitioner is having one previous case in the nature of theft cases.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. I have gone through the FIR and other connected materials and considering the nature of the offence, and considering the period of custody, I am inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the ***learned Judicial Magistrate, Thiruvavarur***, 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 Trial Court daily at 10.30 a.m., for a period of four weeks.

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

[d] the petitioner shall not tamper with the 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



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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];

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

03.12.2025

mpa

Note:

1. Registry is directed to forthwith

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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, Thiruvarur.

2.The Inspector of Police,
Vaippur Police Station,
Thiruvarur District.

3.The Officer Incharge, Sub Jail, Thiruvarur.

4.The Public Prosecutor, High Court of Madras.



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K. RAJASEKAR, J.

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