



WEB COPY

Crl.O.P.No.33289



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33289 of 2025

Kumaresan

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Thiruvallur Town Police Station,
Thiruvallur District.
(Crime No.417 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.417 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Arunkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



05.11.2025 for the alleged offence punishable under Sections 191(2), 296(b), 115(2), 118(1), 324(4), 351(3), 303(2) of BNS r/w Section 3 of TNPPDL Act, in Crime No.417 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, he joined hands with other accused entered into the land belongs to the defacto complainant and consumed liquor. When the defacto complainant questioned the same, the petitioner allegedly attacked him with a stone and a knife causing injuries. It is further alleged that they caused damage to his vehicle and also attempted to murder the defacto complainant. Hence, the present case was registered against the petitioner and is in judicial custody from 05.11.2025.

3. The learned counsel appearing for petitioner submitted that the petitioner is in judicial custody since 05.11.2025. He further submitted that the co-accused was released on anticipatory bail by this Court and that the counter case has been registered. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally 7 accused in this case, the petitioner is ranked as A4, A1, A2 and A7 were arrested and still in custody, the petitioner is not having any previous case and that the injured was discharged from the hospital. Hence, he opposed to grant bail to the petitioner.

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



including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, the fact that the co-accused was released on anticipatory bail by this Court in Crl.OP.No.31364 of 2025 dated 19.11.2025, the petitioner is not having any bad antecedents, the injured discharged from the hospital and considering the period of his incarceration, 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.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.1, Thiruvallur*, 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 daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

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



WEB COPY

Crl.O.P.No.33285



[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 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.

04.12.2025

drl

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.



WEB COPY

Crl.O.P.No.33289



To

- 1.The Judicial Magistrate No.I, Thiruvallur.
- 2.The Inspector of Police,
Thiruvallur Town Police Station,
Thiruvallur District.
- 3.The Superintendent,
Central Prison-II, Puzhal, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



WEB COPY

Crl.O.P.No.33289



K. RAJASEKAR, J.

drl

Crl.O.P.No.33289 of 2025



WEB COPY

Crl.O.P.No.33289



04.12.2025