



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.33477 of 2025

Kathar

Petitioner

Vs

The State Represented by
The Sub Inspector of Police,
Vellore North Crime Police Station,
Vellore District.
Tamil Nadu.
Crime No.107 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.107 of 2025, on the file of the respondent police.

For Petitioner:

Mr.M.S.Sriraam

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody



on 26.09.2025 for the alleged offence punishable under Sections 309(6), 311, 351(3) of BNS, in Crime No.107 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner joined hands with other accused was involved in snatching a mobile phone from the defacto complainant. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and that he has not having any previous cases against him. He further submitted that the petitioner is in judicial custody since 26.09.2025 and that property was also recovered. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner is ranked as A2 in this case. He further submitted that the petitioner joined hands with other accused, attacked the defacto complainant and snatched away his mobile phone. He also submitted and that the petitioner has no previous cases against him. Hence, he opposed to grant bail to the petitioner.



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

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioner is not having previous cases and that the property was recovered, and also 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.IV, Vellore*, 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 concerned Court 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;

[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.

08.12.2025

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.

To

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



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K.RAJASEKAR, J.,

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