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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 33886 of 2025

S.Johney

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Tiruvallur Town Police Station
Thiruvallur
Thiruvallur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No. 417
of 2025 on the file of respondent police.

For Petitioner	: Mr.Munusamy
For Intervener	: Mr.V.Srihari
For Respondent	: Mr.A.Gopinath Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
01.11.2025, for the offences punishable under Sections 19(2), 296(b),
115(2), 118(1), 324(4), 351(3), 303(2) of BNS r/w Section 3 of TNPPDT



Act, in Crime No.417 of 2025, registered on the file respondent police, seeks bail.

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2. The allegation against the petitioner is that the petitioner joining hands with other accused while consuming liquor in the land belongs to the de-facto complainant, the same was questioned by the de-facto complainant, the petitioner along with other accused joined together and attacked the de-facto complainant with stones and other things and caused severe injuries and the petitioner was also arrested.

3. The learned counsel for the petitioner submitted that regarding the very same occurrence, counter case was also registered, in which, the petitioner herein is also severely injured. He further submits that the petitioner is in judicial custody from 01.11.2025. He further submitted that though it is stated that some previous cases reported against him and all are cases not serious offences. He further submits that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



4. The learned Counsel for the Intervener/De-facto complainant submits that he is an advocate and has sustained severe injuries and also lost some of the properties including chain and watch. Therefore, the learned Counsel opposed for grant of bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that totally seven accused, of which, A1 to A4 were already arrested and one of the co-accused/A5 was granted anticipatory bail by this Court. He further submits that A6 and A7 are still absconding. However, he opposed for grant of bail to the petitioner.

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

7. Considering the fact that the very same occurrence and case in counter was also registered and it is also stated that the petitioner has also suffered injuries. Though it is stated that the petitioner has no previous case and the period of incarceration of the petitioner from 01.11.2025, I am inclined to grant bail to the petitioner with certain conditions.



8. 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.I, Thiruvallur, Thiruvallur District** 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 stay at Vellore and report before the learned Judicial Magistrate No.I, Vellore, everyday at 10:30 a.m., for a period of four weeks and all hearing days.**

[c] 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]**;



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

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MSM

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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

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- 1.The Judicial Magistrate No.I,
Thiruvallur, Thiruvallur District
- 2.The Sub Jail, Thiruvallur.

- 3.The Public Prosecutor
High Court of Madras.

- 4.The Inspector of Police,
Tiruvallur Town Police Station
Thiruvallur
Thiruvallur District.



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K.RAJASEKAR J.

MSM

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