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Crl.O.P.No.35549



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM :

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.35549 of 2025

1.P.Karmegam

2.A.Sivabalan

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Kanai,
Villupuram District.
(Crime No.213 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail in Crime No.213 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.G.Tamilselvan

For Respondent : Mr.S.Vinoth Kumar,
Government Advocate (Crl. Side)



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 10.11.2025, for the alleged offence punishable under Sections 296(b), 115(2), 118(1), 109(1), 127(2), 326(1), 351(3) if BNS r/w Section 4 of TNPHW Act, in Crime No.213 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against these petitioners is that, these petitioners joining hands with two others and went to defacto complainant and committed wordy quarrel and filthy language and assaulted with iron rod and wood log, due to that the defacto complainant injured and taking treatment as outpatient then discharge from hospital. Hence this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and the petitioners are in judicial custody since 10.11.2025; and that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that these petitioners



are ranked as A1 and A2, A1 having two previous cases and A2 having 6 previous cases, there is a case in counter and investigation is pending. Hence, he strongly opposed for grant of bail to the petitioners.

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

6. Considering the nature of offences, A1 having two previous cases and A2 having six previous cases, all are not similar in nature and in all cases bail was granted to him, injured was discharged from hospital, there is a case in counter, and considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate, Additional Mahila Court, Villupuram*, and on further conditions that:-

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioners shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he



is suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

30.12.2025

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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.The Judicial Magistrate, Additional Mahila Court, Villupuram.
- 2.The Inspector of Police,
Kanai,
Villupuram District.
- 3.The Superintendent of Prison,
District Prison, Villupuram.
- 4.The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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