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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

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THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35425 of 2025

Vignesh @ Sri Vignesh

... Petitioner

Vs.

State represented by
The Inspector of Police,
Mohanur Police Station,
Namakkal District.
(Crime No.258 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to enlarge the petitioner on bail in Crime No.258 of 2025 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.11.2025, for the alleged offences punishable under Sections 329(4), 296(b), 115(2), 118(1), 324(4) & 303(2) of BNS in Crime No.258 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, due to previous enmity, the petitioner along with other accused trespassed into the defacto complainant's house, abused and assaulted him with a dumbbell and a wooden slab, snatched a 4 ½ sovereign gold chain from one Nagajothi, and damaged household articles worth about Rs.35,000/-. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration from 22.11.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that due to previous enmity, the petitioner along with other accused trespassed into the defacto complainant's house, abused and assaulted him with a dumbbell and a wooden slab, snatched a 4 ½ sovereign gold chain from one Nagajothi, and damaged household articles worth about Rs.35,000/- and there are seven previous cases registered against the petitioner. He further submitted that injured has been discharged from the hospital. However, he vehemently opposed to grant of bail to the petitioner.



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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, all the cases are not similar nature and in all cases, bail was granted to him, the injured has discharged from the hospital, the fact that though there are seven previous cases pending against the petitioner and also taking into account the period of incarceration undergone by the petitioner from 22.11.2025, this Court is inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of **the Judicial Magistrate – II, Namakkal**, and on further conditions that:-

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

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

[e] the petitioner 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 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].

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

26.12.2025

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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

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1. The Judicial Magistrate – II, Namakkal.

2. The Inspector of Police,
Mohanur Police Station,
Namakkal District.

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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