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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM

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

Crl.O.P.No.35471 of 2025

Magesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
P-2 Otteri Police Station,
Chennai.
(Crime No. 815 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.815 of 2025 on the file of
the respondent police.

For Petitioner : Mr.T.I.Ramanathan

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
05.12.2025, for the alleged offence punishable under Sections 329(4), 191(2),
191(3), 296(b), 118(1), 109 and 351(3) of BNS, in Crime No.815 of 2025, on
the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 04.12.2025 at about 11.30 p.m, when the defacto complainant questioned the act of the accused in driving the vehicle in a rash and negligent manner, the petitioner along with other accused joined together and assaulted the defacto complainant and others with a knife, causing grievous injuries. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He has not committed any offence as alleged in the FIR. He further submitted that the petitioner is in judicial custody from 05.12.2025. Hence, he prayed bail for the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally five accused in this case and the petitioner is ranked as A2. Investigation is pending and the offences are grave in nature. He further submitted that the injured was discharged from the hospital and that the petitioner has one previous case pending against him. However, opposed to grant 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 injured was discharged from the hospital and though the petitioner has one previous cases, in which he has been released on bail, and considering the period of incarceration undergone by the petitioner and also considering all others factors, 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 X Metropolitan Magistrate Court, Egmore, Chennai, 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

- 1.The X Metropolitan Magistrate Court,
Egmore, Chennai.
- 2.The Inspector of Police,
P-2 Otteri Police Station,
Chennai.
- 3.The Superintendent,
Central Prison-II, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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