



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.170 of 2026

Ashok @ Pachakili

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Kichipalayam Police Station,
Salem.
(Crime No.357 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.357 of 2025 on the file of the respondent police.

For Petitioner : M/s.S.Sengkodi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.11.2025 for the offences punishable under Sections 126(2), 309(6), 311 and 351(3) of BNS, in Crime No.357 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he joined hands with other accused, attacked the defacto complainant in this case and robbed a sum of Rs.5,000/- from him. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner was falsely implicated in this case only for the purpose of detaining A1 and A2 under Act 14 of 1982, and that the petitioner has been subsequently added as an accused. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner had a specific overt act of attacking the defacto complainant with a beer bottle, thereby causing severe injuries. He further submitted that the petitioner is having five previous cases and all cases are serious in nature. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on both sides, the nature of the allegations, though the petitioner has five previous cases, this Court, taking into account the nature of the offence alleged, 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 each, for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Salem, 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 four 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.

08.01.2026

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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 No.II,
Salem.
- 2.The Inspector of Police,
Kichipalayam Police Station,
Salem.
- 3.The Superintendent,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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