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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.565 of 2026

Rajadurai

... Petitioner

-VS-

State Rep by,
The Station House officer,
Kachirapalayam Police Station,
Kallakurichi District.
(Crime No.411 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.411 of 2025 on the file of the respondent police.

For Petitioners : Mr.V.Gunasekar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.11.2025 for the offences punishable under Sections 296(b), 118(1), 109, 329(4), 324(4) of BNS Act, in Crime No.411 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that due to previous enmity, on 25.11.2025 at about 11.15 p.m., the petitioner joined hands with other accused entered into the house of the defacto complainant and attacked the injured and caused multiple injuries and also caused damages to the properties to the value of Rs.1 lakhs. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that petitioner is an innocent person and has been falsely implicated in this case. He further submitted that the co-accused was released on bail. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the injured has been discharged from the hospital and petitioner is not having any bad antecedents. However, he opposed for grant of bail to the petitioners.

5. Earlier, this Court dismissed the bail petition filed by the petitioner in Crrl.OP.No.33845 of 2025 dated 10.12.2025 on the ground that the petitioner had caused multiple injuries to the victim and also caused damaged to the properties value of Rs.1 lakh. This Court, however, granted bail to the co-accused, subject to the condition that the petitioner shall deposit a sum of Rs.40,000/- to the credit of Crime No.411 of 2025.

6. Now, considering the period of incarceration undergone by the petitioner and the fact that the petitioner is not having any previous antecedents,



this Court is inclined to grant bail with certain conditions.

7. Accordingly, **the petitioner shall deposit a sum of Rs.40,000/- to the credit of Crime No.411 of 2025** and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate, Chinnasalem** 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 respondent police daily at 10.30 a.m., for a period of three 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



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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.

09.01.2026

drl

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,
Chinnasalem.
- 2.The Station House officer,
Kachirapalayam Police Station,
Kallakurichi District.
- 3.The Superintendent,
District Jail, Villupuram.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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