



Crl.O.P.No.1340 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.1340 of 2026

T.Vijyakumar

... Petitioner/Sole Accused

Vs.

The State represented by
The Inspector of Police,
Thevoor Police Station,
Salem District.
(Crime No.289 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.289 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.A.Saravanan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.10.2025, for the offence punishable under Sections 296(b), 118(1), 351(3)
of BNS altered into Section 296(b) and 103(1) of BNS in Crime No.289 of
2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner is the son of the deceased and since the deceased refused to give money, petitioner herein had attacked him with wooden log, which resulted in causing severe injuries and the deceased was admitted in hospital on 22.10.2025 and died on 01.11.2025. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that on the date of occurrence, there was quarrel only and the deceased sustained only non-fatal injuries and while taking treatment, deceased consumed liquor which caused death. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation in this case is pending. Hence, he opposed to grant bail to the petitioner.

5. Considering the nature of allegations and the fact that the deceased was admitted in the hospital on 22.10.2025 and he died after 10 days ie., on 02.11.2025 and also taking into account the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:



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6. Accordingly, 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 No.I, Sankari** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs 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 make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during



investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2026

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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.



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To

1. Judicial Magistrate No.I, Sankari
- 2.The Inspector of Police,
Thevoor Police Station,
Salem District.
- 3.The Central Prison, Salem
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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