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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1672 of 2026

Dharmaraja

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Gangavalli Police Station,
Salem District.
(Crime No.02 of 2026)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.02 of 2026 on the file of the respondent police.

For Petitioner : Mr.Deepanuday

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.01.2026 for the offences punishable under Sections 109, 118(1), 126, 296(b) and 355 of BNS in Crime No.02 of 2026, registered on the file of the respondent police, seeks bail.



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2. The allegation against the petitioner is that, while being the son of the injured in this case, he was under the influence of intoxication and allegedly slit the throat of the defacto complainant, thereby causing grievous injuries. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and that he is in judicial custody since 02.01.2026. 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 injured was admitted in the hospital on 02.01.2026 and was discharged on 10.01.2026 and that the injured is still undergoing treatment. He further submitted that the petitioner has no previous case against him. However, 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 either side, the nature of the allegations and that the petitioner has no previous case against him and also considering the period of his incarceration, this Court is inclined to grant bail 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 Court No.2, Attur, Salem District** 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 stay at Vellore and report before Vellore South Police Station, 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 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.



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



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K. RAJASEKAR, J.

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