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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1624 of 2026

Kumar

... Petitioner

-vs-

State Rep by,
The Inspector of Police,
Omerabad Police Station,
Tirupattur District.
(Crime No.448 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.448 of 2025 on the file of the respondent police, pending investigation.

For Petitioner : Mr.T. Dhasarathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on **29.12.2025** for the alleged offence under **Sections 296(b), 75(2), 79 and
351(2) of BNS Act, 2023** in **Crime No.448 of 2025** on the file of the respondent
police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto
complainant are relatives and there was a pathway dispute pending between



them, due to which the petitioner caused nuisance and made abusive remarks and gestures against the defacto complainant. Hence, a complaint was registered and the petitioner was arrested.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case and he is in judicial custody from 29.12.2025. He further submitted that the petitioner is ready to co-operate with the investigation and ready to abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4.The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case pending against the petitioner and investigation in this case is pending. 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 above facts and circumstances of the case, the submissions made by the learned counsel on either side, considering the period of his incarceration and there is no previous case pending against the petitioner, this this Court 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-Ambur, Tirupattur District , and on further conditions that:

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[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 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 6300];



[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-Ambur, Tirupattur District.
2. The Inspector of Police,
Omerabad Police Station,
Tirupattur District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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