



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5467 of 2026

Prakash

..Petitioner

Vs

The State Rep. by
The Inspector of Police,
Manimangalam Police Station.
(Cr.No.12 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to grant bail to the petitioner in Crime No.12 of 2026 on the file of the respondent police.

For Petitioner:

Mr.R.Naveen Raj

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.01.2026 for the alleged offence under Sections 296(B), 115(2), 118(1), 109(1), 351(3) of BNS in Crime No.12 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that while consuming alcohol, there was



a quarrel between the friends. Hence, the case has been registered against the petitioner.

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3. The learned counsel appearing for the petitioner submitted that the petitioner has been charged for the aforesaid offences and remanded to judicial custody on 09.01.2026. The learned counsel appearing for the petitioner further submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that there are totally 4 accused in this case and there are 7 previous cases against the petitioner. Hence, he strongly opposed to grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



6. From the submissions made by the learned Government Advocate (Crl.Side) it is evident that the petitioner and the victim were consuming liquor together when the incident occurred and that the petitioner has been in incarceration since 09.01.2026. Though there are 7 previous cases against the petitioner, the present case between friends during liquor consumption. Thus, this Court is of the view that the previous cases do not constitute an aggravating circumstances for denial of bail. Further, the injured victim has already been discharged from the hospital. In the above backdrop and upon consideration of the totality of the circumstances, is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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, Sriperumbudur**, 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., and 5.30 p.m. for a period of



four weeks and thereafter daily at 10.30 a.m. for a period four weeks and subsequently, 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 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]**;

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

04-03-2026

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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 I,
Sriperumbudur
2. The Inspector of Police,
Manimangalam Police Station.
3. The Central Prison, Puzhal
4. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN J.

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