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CRL OP No. 7344 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7344 of 2026

Abilash S/o.Sankar,
No.1/9, Veerapthiran Street,
Ganapathipuram,
Tambaram East,
Chennai - 600 059.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
Tambaram Police Station,
Chennai.
[Crime No.72 of 2026]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail pending investigation in Crime No.72 of 2026 on the file of the Inspector of Police, Tambaram Police Station, Chennai.

For Petitioner(s): M/s.A.Murugavel

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on



02.03.2026 for the alleged offences under Sections 296(b), 115(2), 125 and 351(3) of B.N.S. read with Section 3 of the Tamil Nadu Public Property (Prevention of Destruction of Loss) Act in Crime No.72 of 2026 on the file of the respondent police, seeks bail.

2. The *case of the prosecution* is due to some wordy quarrel, the petitioner along with other accused came into the victim's house and attacked two persons and in furtherance of which, during the night time, the petitioner abused the defacto complainant in filthy language, attacked him and also caused damage to the two wheeler vehicles. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been under incarceration since 02.03.2026. He would further submit that no injury was caused to any person by this petitioner and the petitioner is ready and willing to abide by any condition that may be imposed by this Court and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected the bail application on the ground that three vehicles were damaged. However, he fairly submitted that there is no previous case against the petitioner and no person was injured in this case.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. From the submissions made by the learned Government Advocate, it is seen that though three vehicles were damaged by this petitioner, no injury was caused to anyone. In view of the above said position, taking into consideration the incarceration of the petitioner from 02.03.2026 and upon the fact that no injury was sustained to anyone, the question of further custodial interrogation does not arise and investigation also might have been completed by this time, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent 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.1, Tambaram** 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 sign before the respondent police daily twice at 10.30 a.m. and 5.30 p.m. for a period of two weeks and thereafter, as and when required by the investigation officer, 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.

24-03-2026

MJS

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 No.1, Tambaram.
2. The Inspector of Police, Tambaram Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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