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CRL OP No. 9899 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9899 of 2026

Vivek S/o. Vikraman,
Punganur Village,
Kannanallur,
Kollam, Kerala.

..Petitioner(s)

Vs

State Represented by:

The Inspector of Police,
Salem Railway Police Station,
Salem District.
[Crime No.64 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.64 of 2026 on the file of the Respondent.

For Petitioner(s):	M/s. C.S. Saravanan
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.04.2026 for the alleged offences under Sections 296(b), 351(2) read with 75 of B.N.S. and Section 4 of TNPHW Act in Crime No.64 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that A1 misbehaved with the victim, while travelling in a train from Bangalore to Kollam and the petitioner, being a friend of A1, had laughed at the victim. Hence the case.

3. The learned counsel appearing for the petitioner would submit that there are two accused and the petitioner is A2 and he has been remanded to judicial custody on 02.04.2026. He would further submit that the allegation against the petitioner is that he laughed at the defacto complainant and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police has reiterated the prosecution case and objected to enlarge the petitioner on bail.

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

6. Taking into consideration of the totality of circumstances and upon the fact that the petitioner has been under judicial custody since 02.04.2026, 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, Additional Mahila Court, Salem** 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 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]:

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

21-04-2026

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, Additional Mahila Court, Salem.
2. The Inspector of Police, Salem Railway Police Station, Salem District.
3. The Superintendent of Police, Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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