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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2026

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THE HONOURABLE Mr. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.11731 of 2026

Gunasekaran

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Perumbakkam Police Station,
Chennai.
Crime No.60 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.60 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.V.Vargees Amal Raja

For Respondent(s) : Mr.V.J.Priyadarsana,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.04.2026 for the alleged offences under Sections 126(2), 296(b), 115(2), 118(1), 109(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, r/w Section 4 of the TNPHW Act in Crime No.60 of 2026 on the file of the respondent police, seek bail.



2. The case of the prosecution is that due to previous enmity, the petitioner attacked the defacto complainant with wooden log and stone thereby causing grievous injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been in custody since 20.04.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. He would further submit that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.5,000/-, to any welfare scheme of the Government or any other organization. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the injured has been discharged from the hospital and that the petitioner has no bad antecedents.

5. Heard learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.



6. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as non-refundable deposit, to the credit of "CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Considering the above facts and circumstances, the voluntary submissions made by the learned counsel for the petitioner and the period of incarceration undergone by the petitioner, this Court is inclined to enlarge the petitioners on bail with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Additional Mahila Court, Alandur and subject to the following conditions:

[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



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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 everyday at 10.30 a.m. for a period of 30 days 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

07.05.2026

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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 learned Additional Mahila Court, Alandur
2. The Superintendent, Central Jail, Puzhal
3. The Inspector of Police, Perumbakkam Police Station, Chennai.
4. The Public Prosecutor, High Court of Madras



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L.VICTORIA GOWRI, J.

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