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CRL OP No. 12164 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12164 of 2026

(A2) Kutipa @ Kishore
S/o. Dhatchina Moorthy,
No.13, A Block,
Kothaval Chavadi,
Saidapet, Chennai – 15.

..Petitioner(s)

Vs

State Rep.by
The Inspector of police,
J-1 Saidapet Police Station,
Chennai
Cr.No.162/2026.

..Respondent(s)

Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.162 of 2026, on the file of the respondent police, and thus render justice

For Petitioner(s): Mr.Vijaya Raj

For Respondent(s): Mr.R.Vinothraja,
Government Advocate (Crl.Side)

Order

The petitioner/Accused, who was arrested and remanded to judicial custody on 12.04.2026 for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118 (1), 109 (2), 351 (3) of BNS in Cr. No.162 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner and his friends waylaid the defacto complainant, abused him in filthy language and attacked him with a weapons. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case. The petitioner is an innocent and he is nothing to do with the alleged offences. The earlier bail application filed by the petitioner before the Trial Court was dismissed. He is in judicial custody from 12.04.2026. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner along with the co-accused have waylaid and attacked the defacto complainant. Based on the complaint given by the defacto complainant, the case was registered against the accused and other persons. It is further submitted that the injured has been discharged from the hospital. However, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side, considering the nature of offences, considering the fact that the petitioner is in judicial custody from 12.04.2026, and now the injured has already been discharged from the hospital, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 IX Metropolitan Magistrate, Saidapet, Chennai and on further conditions that:

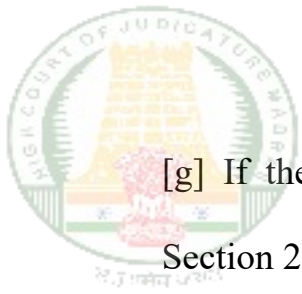
[b] the petitioner shall report before the respondent Police, daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 5560].



[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 B.N.S.2023.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SK

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 Metropolitan Magistrate – IX,
Saidapet, Chennai.
2. The Superintendent of Prison, Central Prison, Puzhal.
3. The Inspector of police,
J-1 Saidapet Police Station,
Chennai.
4. The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL J.

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