



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.No.13319 of 2026

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Kalidass
S/o. Kannan,
No.132/74,New Colony,
Kilvembakkam,
Vellore District.

..Petitioner/Accused No.1

Vs.

The State Represented by
The Inspector of Police,
Nemili Police Station,
Ranipet District.
Cr.No.105/2026

..Respondent

Prayer: This Criminal Original Petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to release the Petitioner on bail pending investigation in Crime No.105 of 2026 on the file of the Respondent herein.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.L.Baskaran,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the Petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The Petitioner/Accused No.1 was arrested and remanded to judicial custody on 26.04.2026, for the alleged offences punishable under Sections 296(b), 118(1), 109 & 351(3) of BNS, 2023, in Crime No.105 of 2026 on the file of the Respondent-Police.

3. The case of the prosecution is that on 23.04.2026, the *de facto* complainant viz., Gopi came from Thirumalpur, Nemili Taluk, Ranipet District to SOC at Keezhvenbakkam, Nemili Taluk, Ranipet District in order to question the Petitioner in relation to the previous enmity between them, at that time, the Petitioner and two others viz., Aadhi & Guruprasad have attacked the *de facto* complainant with knife and caused grievous injuries in the right hand and right shoulder of the *de facto* complainant. Hence, the *de facto* complainant was admitted as an inpatient in the Government Hospital, Kanchipuram. On 24.04.2026, the Respondent-Police had recorded a statement from the *de facto* complainant who was taking treatment in the hospital. Based on the statement given by the *de facto* complainant, the Respondent-Police had registered a case against the Petitioner, Aadhi & Guruprasad. The Petitioner was arrayed as Accused No.1 in this case.

4. Mr.G.Mageshkumar, learned counsel for the Petitioner submits that the Petitioner is an innocent person and he has not committed any offence as

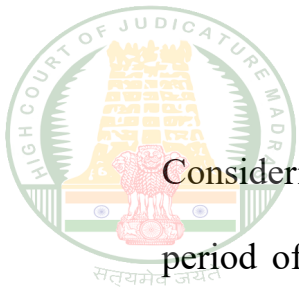


alleged by the prosecution; the Petitioner has been falsely implicated in this case. He further submits that the Petitioner has been under the judicial custody since 26.04.2026 and he is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, the learned counsel prays to grant bail to the Petitioner.

5. *Per contra*, Mr.L.Baskaran, the learned Government Advocate (Criminal Side) appearing for the Respondent-Police submits that the Petitioner/Accused No.1 and the other accused have attacked the *de facto* complainant with knife and caused grievous injuries to him. He further submits that four previous criminal cases have been registered against the Petitioner/Accused No.1; as such, if the Petitioner is released on bail, he may either abscond or tamper the witnesses. Therefore, the learned Government Advocate (Crl.Side) submits that he has strong objection to grant bail to the Petitioner and also, he prays to dismiss this petition.

6. Heard the learned counsel on both sides. This Court has perused all the materials available on record.

7. The Petitioner was arrested on 26.04.2026. The Petitioner has permanent residence and therefore, there is less possibility of absconding.



Considering the facts and circumstances of the case and taking note of the period of incarceration undergone by the Petitioner, this Court is of the view that further custody of the Petitioner is not necessary in this case. Hence, this Court is inclined to grant bail to the Petitioner, subject to the following conditions:

(i) The Petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Arakkonam.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Arakkonam shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The Petitioner shall appear and sign before the Respondent-Police daily at 10.00 a.m., until further orders.

(iv) The Petitioner shall furnish his residential address and mobile numbers to the learned Judicial Magistrate, Arakkonam.

(v) The Petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 2023.

(vi) The Petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.



(vii) 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The Petitioner shall also not directly or indirectly, cause any threat to the *de facto* complainant and witnesses.

(ix) The Petitioner shall not enter into the *de facto* complainant's house or his work place.

(x) The Petitioner shall not try to contact the *de facto* complainant and witnesses either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Arakkonam or Trial Court is entitled to pass appropriate orders against the Petitioner, in accordance with law, as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

21-05-2026

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Note:-

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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,
Arakkonam.

2.The Superintendent,
Central Prison,
Vellore.

3.The Inspector of Police,
Nemili Police Station,
Ranipet District.

4.The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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