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CRL OP No. 14209 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14209 of 2026

Harish

..Petitioner

Vs

The State rep by,
The Inspector of Police,
Bagayam Police Station,
Vellore District.
(Crime No.73 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner pending investigation in Crime No.73 of 2026 on the file of respondent police.

For Petitioner:

Mr. D.Balaji

For Respondent:

Mr.S.Yogaraja Sekar

Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.03.2026 for the alleged offences under Sections 126(2), 296(b), 309(4), 311, 351(3) of BNS @ 309(4), 311 of BNS (341, 294, 392, 397, 506(ii), of IPC @ 392, 397 of IPC), in Crime No.73 of 2026 on the file of the respondent police, seeks bail.

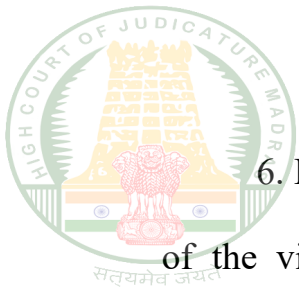


2. The case of the prosecution is that on 10.03.2026 at about 12.00 noon, the petitioner along with other accused wrongfully restrained the defacto complainant, threatened him with a knife, attempted to assault him and robbed a sum of Rs.500/-. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been in judicial custody since 10.03.2026. It is further submitted that though he was initially detained under the Goondas Act, the said position is no longer continuing, which fact was not seriously disputed by the learned Government Advocate (Crl.Side). The learned counsel would further submit that Co-accused (A2) has already been enlarged on bail by this Court in Crl.O.P.No.12434 of 2026 dated 13.05.2026. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner has four previous cases, out of which two arises under the NDPS Act. Therefore, he opposed to grant of bail to the petitioner.

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



6. From the submission of the learned counsel on either side, this Court is of the view that though the petitioner has four previous cases, taking into consideration the long incarceration since 10.03.2026 and the fact that the co-accused has already been enlarged on bail in Crl.O.P.No.12434 of 2026 dated 13.05.2026, this Court is inclined to extent parity to the petitioner and enlarge him on bail, subject to certain 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 for a like sum each to the satisfaction of the learned **Judicial Magistrate No.1, Vellore**, 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 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 twice a day at 10.30 a.m. and 05.30 p.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



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action against the petitioner 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.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

NSL

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, Vellore.
2. Central Prison, Vellore.
3. The Inspector of Police,
Bagayam Police Station,
Vellore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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