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CRL OP No. 15767 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15767 of 2026

A.Augustin

..Petitioner

Vs

State Rep. by,
Inspector of Police,
T-17 Perumbakkam Police Station,
Chennai.
Crime No.119 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.119 of 2026 on the file of the respondent and thus render justice

For Petitioner:

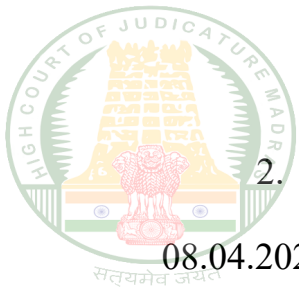
Mr.B.J.Santhosh Kumar

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.05.2026 for the alleged offences under Sections 191(2), 191(3), 296(b), 118(1), 109(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.119 of 2026 on the file of the respondent police, seeks bail.

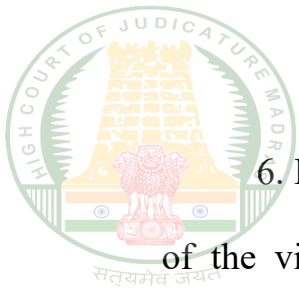


2. The case of the prosecution is that due to previous gang rivalry, on 08.04.2026, the petitioner along with other accused allegedly formed themselves into a gang and attacked the defacto complainant and his associates with weapons, causing injuries and threatening them with dire consequences.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been in judicial custody since 22.05.2026 and there are about five accused in this case. The learned counsel would submit that the occurrence arose due to gang rivalry between the petitioner's group and the defacto complainant's group and that both sides sustained injuries. It is further submitted that the injured persons have already been discharged from the hospital and some of the co-accused have already been enlarged on bail. 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 is arrayed as A1 and serious allegations have been made against him. However, it is not disputed that the injured persons have been discharged from the hospital and some of the co-accused have already been released on bail.

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 the occurrence appears to have arisen out of gang rivalry between two groups and both sides have sustained injuries. The injured persons have already been discharged from the hospital. Taking into consideration the long incarceration of the petitioner since 22.05.2026 and the fact that some of the co-accused have already been released on bail, this Court is inclined to enlarge the petitioner 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, Alandur Court**, 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 daily at 10.30 a.m. until further orders;

[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;



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[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate 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.

23-06-2026

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, Alandur Court.
2. Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
T-17 Perumbakkam Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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