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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP Nos.16162 & 16164 of 2026

S.Murali

B.Vijay

..Petitioner in
Crl.O.P.No.16162 of
2026

..Petitioner in
Crl.O.P.No.16164 of
2026

Vs

The Inspector of Police
Vellore North Police Station,
Vellore District.
(Crime No.174 of 2026)

..Respondent in
both Crl.O.Ps

Criminal Original Petitions have been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioners on bail in Crime No.174 of 2026 pending investigation on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.P.Anandakumar in both Crl.O.Ps

For Respondent(s): Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side) in both Crl.O.Ps



COMMON ORDER

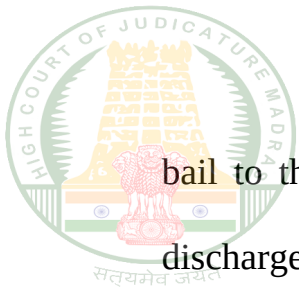
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The petitioners, who were arrested and remanded to judicial custody on 21.05.2026 for the alleged offence punishable under 109(1), 118(1), 296(b), 351(3) of BNS,, 2023, in Crime No.174 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are auto drivers; that while they were consuming alcohol, there was a wordy altercation, which escalated into violence, as a result of which, the petitioners assaulted the defacto complainant with beer bottle and caused injuries. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and that they have been remanded to judicial custody on 21.05.2026. He would further submit that the injured has been discharged from the hospital. He would also submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for the grant of bail.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police would reiterate the prosecution case and oppose the grant of

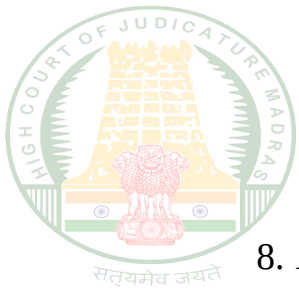


bail to the petitioners. However, he would fairly submit that the injured got discharged from the hospital and that the petitioner in Crl.O.P.No.16162 of 2026 has no previous case and the petitioner in Crl.O.P.No.16164 of 2026 has four previous cases, one among them is under Section 302 of IPC offence.

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

6. Though the petitioners assaulted the defacto complainant with beer bottle, from the submissions made by the learned Government Advocate (Crl. Side), the injured got discharged from the hospital on 25.05.2026 and apart from that, the petitioner in Crl.O.P.No.16162 of 2026 has no bad antecedents and the petitioner in Crl.O.P.No.16164 of 2026 has four previous cases, out of which, one is under Section 302 of IPC offence. At this juncture, the learned counsel for the petitioner would submit that the petitioner/A2 (Crl.O.P.No.16164 of 2026) has been acquitted in that case in S.C.No.115 of 2021 by the Additional District Judge, Fast Track Court, Vellore.

7. Considering the totality of the circumstances and the fact that though the petitioner/A2 is having one previous case under Section 302 of IPC, he has been acquitted in that case and also considering the period of incarceration of the petitioners since 21.05.2026, this Court is inclined to enlarge the petitioners on bail with certain conditions:



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8. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.IV, Vellore, and subject to the following conditions:

[a] 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 Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before respondent Police twice daily at 10:30 a.m. and 05:30 p.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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]*;

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

25.06.2026

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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 Judicial Magistrate No-IV, Vellore.
- 2.The Superintendent, Central Prison, Vellore.
- 3.The Inspector Of Police, Vellore North Police Station, Vellore District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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