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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31429 of 2026

CNR: {HCMA012592992026}

Case QR

Santhosh
S/o.Sekar,
Anakkavur,
Cheyyar Taluk,
Tiruvannamalai-632 313.

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
Anakkavur Police Station,
Tiruvannamalai District.
Crime No.122 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.122 of 2026 on the file of the respondent police and pass such or other orders as this Honorable Court deems fit proper in the circumstances of the case.

For Petitioner(s): Mr.M.Raja

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.09.2026 for the alleged offence under Sections 296(b) and 109 of BNS, 2023 in Crime No.122 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that when the brother of the defacto complainant questioned the petitioner and the co-accused about consuming liquor illegally on 13.09.2026, they abused him in filthy language and assaulted him with a knife on his right shoulder and right side of the neck with an intention to cause death. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case, and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and hence, prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the respondent confirms that the expenses of the victim are borne by the petitioner. He further submitted that the injured has been discharged from the hospital. Hence, he opposed the grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. It is a case of attempt murder. On 13.09.2026, the brother of the

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defacto complainant questioned the petitioner and other accused about the illegal consumption of liquor. The petitioner and the co-accused then came to the house and cut him on the right shoulder and right side of the neck caused injuries to the defacto complainant and later discharged from the hospital. It is submitted by the learned counsel for the respondent that the expenses of the victim was borne by the petitioner. Considering the nature of the allegations, the fact that the injured was discharged from the hospital and the period of incarceration already undergone by the petitioner, this Court is inclined to enlarge the petitioner on bail with 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 each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Cheyyar, Tiruvannamalai District,** and on further conditions that:

> [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

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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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

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

03-11-2026

DRL

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.

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To

1. The Judicial Magistrate,
Cheyyar, Tiruvannamalai District.

2. The Inspector of Police
Anakkavur Police Station,
Tiruvannamalai District.

3. The Superintendent, Central Prison,
Vellore District.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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