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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32349 of 2026

CNR: {HCMA012657652026}

M.Vishwa
S/o Martin,
No.1, Annai Therasa Nagar,
Ayapakkam,
Thiruvallur,
Tamilnadu.

Case QR

..Petitioner(s)

Vs

The State Represented By,
The Inspector of Police
Ayapakkam Police Station,
Avadi – 600 077.
Crime No. 282/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime NO. 282/2026 on such terms and conditions as this Honorable Court may deem fit and proper rendered justice.

For Petitioner(s): Mr.V.Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.09.2026 for the alleged offences under Sections 126(2), 296(b), 118(1), 311, 125, 351(3) of BNS, in Crime No.282 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that, on 27.09.2026, at about 03.45p.m., the petitioner along with other accused unlawfully assembled, armed with deadly weapons, at intercepted the de-facto complainant's lorry, abused him in filthy language, and assaulted him with iron rod and caused injuries to the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been in judicial custody since 29.09.2026. He further submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the co-accused has already been granted bail by this Court in Crl.OP.No.30977 of 2026 dated 23.10.2026 He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner along with other accused, armed with deadly weapons, had assaulted the defacto complainant causing injuries. He further submitted that the injured was discharged from the hospital and that the petitioner has two previous cases pending against him, out of which two cases are Prohibition cases. Hence, he opposed the grant of bail to the petitioner.

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

6. Considering the nature and gravity of the allegations, the weapons allegedly used, the injuries sustained by the de-facto complainant and the fact that the injured were discharged from the hospital and that the co-accused has already been released on bail, this Court is inclined to grant bail to the petitioners, 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 each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Ambattur,** 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 twice daily at 10.30 a.m., and 5.30 p.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

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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.

05-11-2026

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.

To

1.The Judicial Magistrate, Ambattur.

2. The Inspector of Police
Ayapakkam Police Station,
Avadi.

3.The Superintendent, Central Prison-II,
Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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