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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33930 of 2026

CNR: {HCMA012747232026}

Prabakaran
S/o.Dellibabu,
No.70, Sannathi Street,
Vandavasi Town,
Tiruvannamalai District.

Case QR

..Petitioner(s)

Vs

The State Rep by the Inspector of Police
Vandavasi South Police Station,
Tiruvannamalai District.
Crime No.202 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 Crime No.202 of 2026 pending investigation on the file of the respondent.

For Petitioner(s): Mr.Sathiyaraj E.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.10.2026 for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS Act and Section 3 of TNPPDL Act, in Crime No.202 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioners had allegedly damaged the Ganesha idol and other articles, abused and assaulted the de-facto complainant and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been arrested and remanded to judicial custody since 27.10.2026. He further submitted that the petitioner is innocent and has been falsely implicated in the present case. He further submitted that he 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 investigation is still pending. Hence, he oppose 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. The learned counsel for the petitioner submitted that the first bail petition was dismissed on 25.09.2026 in Crl.OP.No.27511 of 2026, and that the petitioner then filed a second petition on 29.09.2026 in Crl.OP.No.29256 of

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2026. While that petition was pending before this Court, the petitioner, suppressing this fact, filed a bail petition before the Principal District and Sessions Judge, Tiruvannamalai and obtained bail in Crl.MP.No.2506 of 2026 dated 01.10.2026. Subsequently, when the second bail petition was listed before this Court on 09.10.2026, this Court held that the bail order had been obtained by suppressing the pendency of the bail petition, and that the bail order is set aside and the petitioner was directed to surrender before the Principal Sessions Judge, Tiruvannamalai.

Now, it is stated that pursuant to that order, the petitioner voluntarily surrendered on 27.10.2026 and has been in judicial custody since then. Considering the above facts and circumstances of the case, the fact that bail had already been granted and the petitioner has voluntarily surrendered and the period of incarceration already undergone by him, this Court is inclined to grant bail to the petitioner, 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, Vandavasi, Tiruvannamalai District,** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship

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[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 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 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.

20-11-2026

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

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watermarked and will also have a QR code.

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To

1. The Judicial Magistrate, Vandavasi,
Tiruvannamalai District.

2. The Inspector of Police
Vandavasi South Police Station,
Tiruvannamalai District.

3.The Superintendent,
Sub Jail, Vandavasi,
Tiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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