



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.34247 of 2025

Viknesh

... Petitioner

Vs.

State Rep by its,
The Sub Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
Crime No.280 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.280 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Vasudevan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.10.2025 for the alleged offence under Sections 191(2), 191(3),

126(2), 296(b), 115(2), 118(1), 109(1) and 351(3) of BNS was altered

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into 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 109(1), 351(3), 61(2) and 238 of BNS (corresponding IPC Sections 147,148,399,294,323,324,307,506(ii), 120B and 201 in Crime No.280 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is ranked as A3 in this case and due to previous enmity, the petitioner joined hands with others, went to the place of occurrence, waylaid, along with two others, caught hold the victim, and A1 and A2 attacked the victim indiscriminately, caused injuries, including, 13 cut and stab injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is in custody from 19.10.2025 and he is not named in the FIR; he has been falsely implicated in this case; the victim has been discharged from the hospital. Therefore, he prays for grant bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the petitioner is ranked as A3; since the complaint has been lodged by the



mother of the victim, she has only named two persons. However, in the complaint, she has narrated the involvement of the other accused. He further submitted that the petitioner is also involved in similar offences and in that case also, he attempted to commit murder of victim herein. He further submitted that major part of the investigation has been completed and this Court had earlier dismissed the bail application of the petitioner in CrI.O.P.No.31742 of 2025 on 20.11.2025. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side, the fact that petitioner is in judicial custody from 19.10.2025, and major part of the investigation has been completed, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of



the *learned Munsif Cum Judicial Magistrate Court, Kilpennathur,*

Tiruvannamalai District , and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Erode and report before the Karungalpalayam Police Station 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;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner



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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)AIR SCW 5560];

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

02.01.2026

smn

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 *Munsif Cum Judicial Magistrate Court, Kilpennathur,*
Tiruvannamalai District

2. The Sub Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District

3. The Superintendent,
Central Prison, Vellore

4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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