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**(2025) 12 MAD CK 0026**

**Madras HC**

**Case No:** Criminal Original Petition No. 33445 Of 2025

Anbumani

APPELLANT

Vs

State

RESPONDENT

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**Date of Decision:** Dec. 8, 2025

**Acts Referred:**

- Bharatiya Nyaya Sanhita, 2023-Section 115(2), 118(1), 191(2), 191(3), 232(1), 269, 296(b), 351(3)

**Hon'ble Judges:** K. Rajasekar, J

**Bench:** Single Bench

**Advocate:** W.Camyles Gandhi, A.Gopinath

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### **Judgement**

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 25.10.2025 for the alleged offence punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) and 232(1) of BNS, in Crime No.466 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is ranked as A1 in this case, Since the defacto complainant was a witnesses in another case, it is alleged that the petitioner joined hands with other accused, attempted to prevent him from deposing against the petitioner, and attacked him with a knife and caused severe injuries. Hence, the complaint was lodged and the petitioner was arrested,

3. Learned counsel appearing for the petitioner submitted that although injuries were caused to the defacto complainant, he was discharged from the hospital on the very same day. He further submitted that though the petitioner has five previous cases, all of them are not serious in nature. He further submitted that the petitioner is in judicial custody since 25.10.2025. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner is ranked as A1 in this case. He further submitted that the petitioner has five previous cases, which are all serious in nature. Hence, he opposed to grant bail to the petitioner.

5. On perusal of the FIR and other connected materials, it is seen that the injured was discharged from the hospital on the same day, though he had sustained grievous injuries.

6. Considering the submissions made by the learned counsel on either side, and considering the period of his incarceration and though the petitioner has five previous cases all of them are not of a serious nature, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate No.II, Tiruppur, 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 Nagapattinam and report before the Judicial Magistrate No.I, Nagapattinam, daily at 10.30 a.m., for a period of three weeks, except on the hearing dates before the Trial Court in other case.**

[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 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.