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CRL OP No. 26398 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24-09-2026**

CORAM

**THE HON'BLE MR.JUSTICE N.RAMESH**

**CRL OP No. 26398 of 2026**

**and Crl.M.P.No.17523 of 2026**

*CNR: {HCMA012160262026}*

Janny @ Janny Paulrajan @ Johny @ Johny  
Paulraj  
S/o John Peter,  
No.3/21, Prakasam Street(church Street),  
Vandranthangal,  
Katpadi,  
Vellore District.



Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police  
Virudhampet Police Station,  
Vellore District.  
Crime No.178 of 2019.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 528 of BNSS  
praying to Set aside the order dated 03.09.2026 made in Crl.M.P.No.2607 of  
2026 in S.C.No.225 of 2022 on the file of the Learned Additional District  
Judge(Fast Track Court), Vellore.

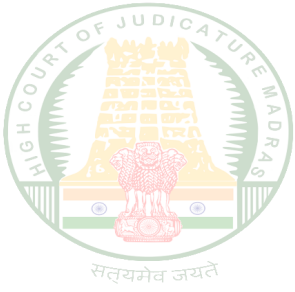
For Petitioner(s):

Mr. B.Mohan

For Respondent(s):

Mr.R.Rajasekaran

Counsel fro Government



## **ORDER**

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This petition has been filed to quash the order dated 03.09.2026 made in Crl.M.P.No.2607 of 2026 in S.C.No.225 of 2022 on the file of the Learned Additional District Judge(Fast Track Court), Vellore.

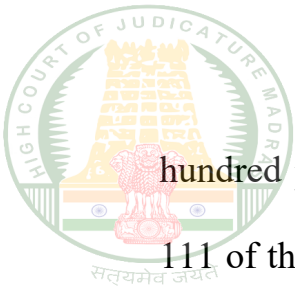
2. The petitioner is the fourth accused in S.C. No. 225 of 2022 on the file of the learned Additional District Judge (Fast Track Court), Vellore, which arises out of Crime No. 178 of 2019 on the file of the Inspector of Police, Virudhampet Police Station, Vellore District, for offences under Sections 384, 435 and 109 IPC read with Sections 4 and 3(i) of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992. This Court enlarged him on bail by order dated 19.12.2025 in Crl.O.P. No. 33126 of 2025. On a petition filed by the respondent police, the learned Additional District Judge cancelled that bail by order dated 03.09.2026 in Crl.M.P. No. 2607 of 2026 and directed the petitioner to surrender within two weeks. The petitioner seeks to set aside that order under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS").

3. The prosecution case in S.C. No. 225 of 2022 is one of extortion and of setting fire to property. The petitioner was arrested in that case on 01.11.2021. When his seventh petition for bail, Crl.O.P. No. 33126 of 2025, came up, the



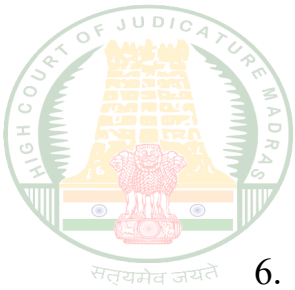
learned Government Advocate (Criminal Side) opposed it on the ground that the petitioner had 51 previous cases and that, on that account, his appearance before the trial court had not been properly made. This Court took note of the objection and, since the petitioner had undergone incarceration for about five years, granted bail on conditions, including condition [c], which authorised the trial court to act on breach of those conditions as laid down in **P.K. Shaji @ Thammanam Shaji v. State of Kerala, (2005) 13 SCC 283**. The petitioner was then in custody in other cases. According to him, he was released from the Central Prison, Cuddalore, on 03.01.2026.

4. On 02.06.2026, the Katpadi Police registered Crime No. 137 of 2026 under Section 27(1) of the Arms Act, 1959, on the written complaint of the Sub Inspector of Police attached to the social media cell of the District Police Office, Vellore. The complaint, as summarised in the alteration report, was that an Instagram page named "Vellore-king-of-king-johnny" carried a photograph of the petitioner, uploaded on 24.05.2026, holding a weapon in a threatening manner, and a video, uploaded on 25.05.2026, taken with a gun resembling an AK-47, in which a person with him held a gun resembling a single barrel muzzle loader. The petitioner was arrested on 04.06.2026 at 23.10 hours near Ramapuram, Gudipala Mandal, Chittoor District, Andhra Pradesh, where, according to the report, he was celebrating his birthday with more than two



hundred persons and bursting crackers. The Inspector of Police added Section 111 of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS"). An offence under that section, where it does not result in death, is punishable with imprisonment for not less than five years which may extend to imprisonment for life. That case is under investigation.

5. On 16.06.2026, the Inspector of Police, Virudhampet, moved the trial court to cancel the bail. The petition stated that the petitioner had been released on bail in this case by the order dated 19.12.2025, that by an earlier order dated 28.12.2022 in CrI.O.P. No. 32491 of 2022 in Crime No. 20 of 2018 of the Sathuvachari Police Station this Court had directed him not to commit offences of a similar nature, and that he had since been arrested in Crime No. 137 of 2026. The petitioner filed a counter. The prosecution produced a list of 22 cases pending against him. By the impugned order the learned Additional District Judge held that the registration of Crime No. 137 of 2026 was not by itself proof of guilt, but that the petitioner's involvement in a grave offence while on bail, considered with his antecedents, showed that he had abused the liberty granted to him. The bail was cancelled.



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6. The learned counsel for the petitioner submitted that the trial court applied the wrong standard. Cancellation of bail already granted requires cogent and overwhelming circumstances arising after release. The antecedents were placed before this Court and considered when bail was granted. The trial court acted on the mere registration of Crime No. 137 of 2026, without examining the material in that case or the ingredients of Section 111 BNS. The photographs were taken and uploaded during a personal trip, and show the petitioner using an ordinary balloon-shooting air gun for recreation. After his release on 03.01.2026 he has not threatened any witness, tampered with evidence or absconded, and PW1 to PW3 were examined long ago. The condition relied on was imposed in a different case. The respondent filed identical petitions in S.C. No. 225 of 2022 and S.C. No. 190 of 2023. The learned counsel relied on **Dolat Ram v. State of Haryana, (1995) 1 SCC 349, P v. State of Madhya Pradesh, (2022) 15 SCC 211, Deepak Yadav v. State of Uttar Pradesh, (2022) 8 SCC 559, Mahipal v. Rajesh Kumar @ Polia, (2020) 2 SCC 118, Ashok Dhankad v. State of NCT of Delhi, 2025 INSC 974 and Narayan v. State of Madhya Pradesh, 2026 LiveLaw (SC) 426.**

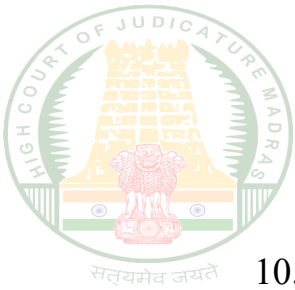
7. The learned Government Advocate (Criminal Side) supported the impugned order. The respondent has placed before me a statement of the cases



registered against the petitioner and prints of posts on Instagram pages bearing his name. The statement lists 53 cases: two under investigation, twenty-five pending trial, twenty-four ending in acquittal and two in conviction.

8. I have considered the rival submissions and perused the material placed before me.

9. The first question is whether the trial court could entertain the petition at all, the bail having been granted by this Court. It could. A Court of Session may act on a petition to cancel bail granted by the High Court where new circumstances arise after the grant, as held in **Gurcharan Singh v. State (Delhi Administration), (1978) 1 SCC 118**, and applied in **State of Karnataka v. Vinay Rajashekharappa Kulkarni, 2025 LiveLaw (SC) 669**. The learned Additional District Judge described the petition as one under Section 480(5) BNSS. That provision applies to a court which has itself released the accused, and was not the proper description. The power exercised was the power under Section 483(3) BNSS, which the trial court, as a Court of Session, possessed. The wrong description of the provision does not take away a power that existed.



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10. The second question is the ground. The petition for cancellation and the impugned order both refer to paragraph 6(c) of the order in Crl.O.P. No. 32491 of 2022. That condition was imposed in a different crime. The order under which the petitioner is on bail in this case contains no condition against the commission of an offence. To that extent the reference was misplaced. But the absence of an express condition does not mean that an accused on bail may commit offences without consequence to his bail. Misuse of liberty by criminal activity is a recognised ground of cancellation in its own right. Among the circumstances in which bail may be cancelled, the Supreme Court has listed the case where the accused *misuses his liberty by indulging in similar/other criminal activity*, as held in **P v. State of Madhya Pradesh (cited supra)**. The substance of the petition before the trial court was that the petitioner, while on bail, had involved himself in a fresh case. The petitioner met that allegation on its merits before the trial court and again before me. He has suffered no prejudice from the misdescription.

11. The standard is not in doubt. Very cogent and overwhelming circumstances are necessary to cancel bail already granted, and bail is not to be cancelled mechanically, as held in **Dolat Ram (cited supra)**. The court must consider *whether any supervening circumstances have arisen or the conduct of*

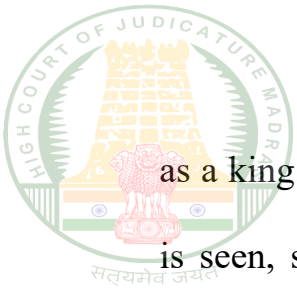


*the accused post grant of bail demonstrates that it is no longer conducive to a fair trial to permit him to retain his freedom by enjoying the concession of bail*

*during trial*, as held in **P v. State of Madhya Pradesh (cited supra)**. Setting aside a bail order as illegal and cancelling bail for conduct after its grant are distinct exercises, as held in **Ashok Dhankad (cited supra)**. This is a case of the second kind.

12. The antecedents are not new. This Court knew of them when it granted bail, and I do not treat them as a supervening circumstance. Twenty-four of the cases against the petitioner have ended in acquittal, and those acquittals must be given their full effect. What is new is the petitioner's conduct after 03.01.2026. It is to be judged on its own. The antecedents are relevant only as the background against which that conduct is to be understood: this Court released the petitioner after five years in custody, in the face of an objection that his record had already affected his attendance before the trial court.

13. The material on that conduct is this. Within five months of his release, an Instagram page bearing the name "Vellore-king-of-king-johnny" carried a photograph of the petitioner, dated 24 May, captioned "Vellore King Johny Anna", showing him holding an object in the posture of one wielding a weapon. It drew more than four thousand seven hundred likes and comments hailing him



as a king. A video on the same page, in which a gun resembling an assault rifle is seen, shows over twenty-six thousand likes. Posts dated 8 June on a page named "vellorekingjohnny\_" show the petitioner crowned and garlanded, under the same caption. A birthday banner shows him crowned and garlanded before a crowd. The petitioner does not disown the photographs. His case, in paragraph 10 of the petition, is that they were taken and uploaded during a personal trip. He was arrested on 04.06.2026 in a neighbouring State, at a gathering described in the alteration report as a celebration with more than two hundred persons.

14. I have kept out of consideration what does not bear scrutiny. The statement attributed to the petitioner after his arrest, about merchants and money, was made to a police officer. Under Section 23(1) of the Bharatiya Sakshya Adhiniyam, 2023, no confession made to a police officer shall be proved as against a person accused of any offence. I do not rest anything on it. The trial court recorded that the prosecution relied on a recovery of the weapon. The copy of the alteration report at pages 18 to 20 of the typed set records that the petitioner stated that he had thrown the articles away; the typed copy at pages 21 to 25 reads that he produced them. I do not rest anything on a recovery either. Nor do I decide whether the object in the photograph is an arm within the meaning of the Arms Act, or whether the ingredients of Section 111 BNS are made out. Those are questions for the investigation and for the court that tries



that case. The petitioner's explanation that it was an air gun at a balloon-shooting stall is his to establish there. Who runs the pages is not shown on this record, and I make no finding on it.

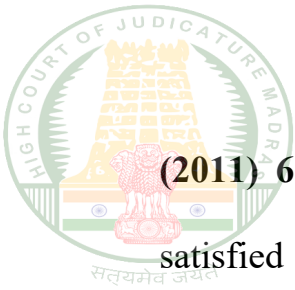
15. Even so confined, the conduct is not a matter of private amusement. The petitioner stands trial in this case for extortion and for setting fire to property, offences which depend for their commission on fear. Three witnesses were examined in January 2023. The rest are yet to be examined, and summons to witnesses have been issued repeatedly since December 2025. The petitioner is a resident of Katpadi in the same district. Within months of his release he is publicly projected, on pages bearing his name and followed by thousands, as the "king" of Vellore, with a weapon in hand. That projection has a direct bearing on whether the witnesses who remain to be examined will come forward and depose freely. It is conduct after the grant of bail, it is specific, and it is shown by photographs that the petitioner accepts were taken. It is precisely the kind of circumstance which renders continued liberty no longer conducive to a fair trial. The likelihood of the witnesses being overawed is real, and not a matter of speculation.

16. **X v. State of Telangana, (2018) 16 SCC 511**, relied on in support of the view that a second first information report is not a supervening



circumstance, is distinguishable. There the second report was lodged four days after the grant of bail, and the Supreme Court found it vague and without details. Here the conduct is particular, is documented, and bears on the fair trial of this very case. **Narayan (cited supra)** turned on Section 480(3) BNSS. The subsequent offence there, under the Madhya Pradesh Excise Act, was punishable with less than five years' imprisonment, and the conditions under Section 480(3) could not have been imposed. It has no application to a subsequent case under Section 111 BNS.

16. The impugned order is not free from error. It rests in part on a condition that is not in the order of bail, and on a recovery that the police report does not bear out. It goes further than it should in saying that the petitioner has committed an offence of organised crime, a question for the trial of that case. Those observations are not sustained. But the jurisdiction under Section 528 BNSS is exercised to secure the ends of justice. It is not exercised to restore a liberty which the material shows has been misused, only because the order under challenge is imperfectly reasoned. This Court granted the bail. It has the power, under Section 483(3) BNSS, to direct the arrest of a person whom it has released. The principle that serious circumstances may warrant cancellation applies *when the same Court which granted bail is approached for canceling the bail*, as held in **Prakash Kadam v. Ramprasad Vishwanath Gupta**,

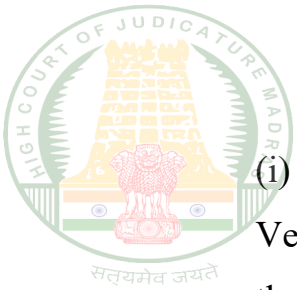


**(2011) 6 SCC 189.** On the material set out in paragraphs 12 and 14, I am satisfied that the petitioner has misused the liberty granted to him, and that his continued liberty is not conducive to a fair trial of S.C. No. 225 of 2022. The result reached by the trial court is right.

17. The statement of cases produced before me also lists Crime No. 16 of 2026 of the Vellore North Crime Police Station, under Sections 311 and 309(2) BNS, as under investigation. Neither the date of the occurrence nor the part attributed to the petitioner is stated. I have not taken it into account.

**18. In the result, the Criminal Original Petition is dismissed, and the order dated 03.09.2026 in CrI.M.P. No. 2607 of 2026 in S.C. No. 225 of 2022 on the file of the learned Additional District Judge (Fast Track Court), Vellore, cancelling the bail granted to the petitioner, is confirmed, subject to the observations in paragraphs 13 and 16.**

19. If the petitioner has not already surrendered or been taken into custody, he shall surrender before the learned Additional District Judge (Fast Track Court), Vellore, within one week from the date of receipt of a copy of this order, failing which the respondent shall take him into custody in accordance with law. There will be the following directions:



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(i) The learned Additional District Judge (Fast Track Court), Vellore, shall take up S.C. No. 225 of 2022 for the examination of the remaining prosecution witnesses and shall take all steps available in law to secure their attendance. If the absence of any co-accused is holding up the trial, the court shall consider splitting up the case against him.

(ii) The trial shall be concluded within six months from the date of receipt of a copy of this order, the case being heard from day to day so far as practicable.

(iii) It is open to the petitioner to apply afresh for bail on the completion of the examination of the prosecution witnesses, or if the trial is not concluded within the period stated, and any such application shall be considered on its own merits.

**20. The Superintendent of Police, Vellore District, shall cause the Instagram pages referred to in paragraph 12, and any similar pages projecting the petitioner as a person to be feared or followed, to be examined, and shall take such action as the law permits. The public celebration, before a largely young audience, of a person facing prosecution in serious cases, as a "king" with weapon in hand, lends to criminality a glamour it does not deserve. Nothing in this paragraph is a finding on the authorship of those pages or on any offence.**



21. It is made clear that the observations in this order are confined to the question of bail and are prima facie in nature. They express no opinion on the merits of Crime No. 137 of 2026, Crime No. 16 of 2026 or S.C. No. 225 of 2022, and shall not influence the investigation or the trial court at any stage.

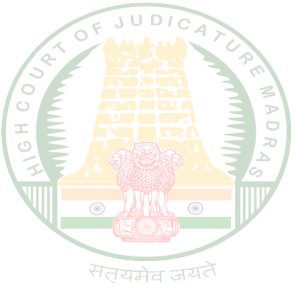
Consequently,

**24-09-2026**

SMA

To

1. Additional District Judge(Fast Track Court), Vellore.
2. The Inspector of Police  
Virudhampet Police Station,  
Vellore District.
3. The Public Prosecutor,  
Madras High Court.



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**N.RAMESH, J.**

**SMA**

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**24-09-2026**