



WEB COPY



Crl.O.P.No.1561 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1561 of 2025

1.Karthick @ Avathar Karthick

2.Suresh @ Kala Suresh

... Petitioners

Vs.

The State, Rep. by Inspector of Police
E-3, Teynampet Police Station
Chennai 18. (Crime No.503 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.503 of 2024 on the file of the respondent Police.

For Petitioner : Mr.P.Surendran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.503 of 2024 registered for
the offences punishable under Sections 126(2), 296(b), 309(4), 311, 351(3) of
BNS is on board for consideration.

2.The incarceration of the petitioners being from 06.12.2024 pleading
innocence on the part of the petitioners and false implication in the case, learned



Crl.O.P.No.1561 of 2025

counsel for the petitioners seeks indulgence of this Court. He also submits that the earlier bail petition filed by this petitioner in Crl.OP.No.31755 of 2024 was dismissed by this Court on 19.12.2024. He also submits that the petitioners are no way connected with the alleged offences and they are ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that on 06.12.2024 , the petitioners demanded money from the de facto complainant at his shop, when he resisted, they threatened him at knife point and robbed a sum of Rs.850/- from him. He further submits that there are thirteen previous cases against the first petitioner and eighteen previous cases against the second petitioner.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, (out of which, one surety should be a



Crl.O.P.No.1561 of 2025

blood related surety) each for a like sum to the satisfaction of the learned XVIII

Metropolitan Magistrate, Saidapet, 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 petitioners shall report before the respondent Police, everyday at 06.30 p.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

23.01.2025

sai



WEB COPY



CrI.O.P.No.1561 of 2025

A.D.JAGADISH CHANDIRA, J.
sai

To

1.The XVIII Metropolitan Magistrate,
Saidapet

2.The Inspector of Police,
E-3, Teynampet Police Station
Chennai 18

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.1561 of 2025

23.01.2025