



WEB COPY



Crl.O.P.No.528 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

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

Crl.O.P.No.528 of 2025

Poornanathan

... Petitioner

Vs.

The State, Rep. by
The Inspector of Police
Kumaran Nagar Police Station
Chennai
(Crime No.390 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.390 of 2024 on the file of the respondent Police.

For Petitioner : Mr.R.Thirumoorthy

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

ORDER

Petition seeking bail in respect of Crime No.390 of 2024 registered for
the offences punishable under Sections 74, 75, 308(2) of BNS is on board for
consideration.

2.The incarceration of the petitioner being from 23.12.2024 pleading



CrI.O.P.No.528 of 2025

innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is in no way connected with the alleged offences and he is 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 through a matrimonial website, the petitioner contacted the de facto complainant induced and invited her to visit his home, where he misbehaved with her and took 1.2 sovereigns of gold chain from her.

4.Having heard the learned counsel for the petitioner 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 petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, and on further conditions that:

[a] the sureties shall affix their photographs and Left



Crl.O.P.No.528 of 2025

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 report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

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

[d] the petitioner 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 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 of B.N.S.

09.01.2025

sai



WEB COPY



CrI.O.P.No.528 of 2025

A.D.JAGADISH CHANDIRA, J.
sai

To

1.The XXIII Metropolitan Magistrate,
Saidapet, Chennai

2.The Inspector of Police,
Kumaran Nagar Police Station
Chennai

3.The Superintendent,
Prison, Saidapet.

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.528 of 2025

09.01.2025