



WEB COPY



Crl.O.P.No.1996 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

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

Crl.O.P.No.1996 of 2025

Bharath @ Sottai Bharath

... Petitioner

Vs.

State: Inspector of Police
E1 Mylapore Police Station,
Chennai. (Cr.No.396 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in the above Crime No.396 of 2024 on the file of the respondent.

For Petitioner : Mr.M.Rajavelu

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

Petition seeking bail in respect of Crime No.396 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 309(4) and 311 of BNS, and Section 4 of TNPHW Act, is on board for consideration.

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



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counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, is no way connected with the alleged offence and the present case has been foisted only for statistical purpose. He further submits that the petitioner 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 Additional Public Prosecutor appearing for the respondent police, opposing for grant of bail is that the accused threatened the defacto complainant at knife point and snatched a sum of Rs.2,000/- from her. He further submits that the petitioner is a habitual offender, against whom twelve previous cases are pending.

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 XVIII Metropolitan Magistrate, Saidapet at Chennai, and on further conditions



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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 report before the respondent Police, everyday at 06.30 p.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.

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A.D.JAGADISH CHANDIRA, J.
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To

1.The XVIII Metropolitan Magistrate,
Saidapet at Chennai

2.The Inspector of Police,
E1 Mylapore Police Station,
Chennai.

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court of Madras.

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