



Crl.O.P.No.808 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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

Crl.O.P.No.808 of 2025

S.Karthikeyan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Avadi Police Station,
Thiruvallur District.
(Crime No.496 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.496 of 2024, pending investigation on the file of the respondent Police.

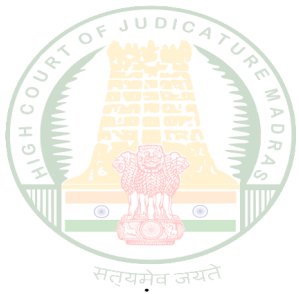
For Petitioner : Mr.A.Vijayasankar

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

ORDER

Petition seeking bail in respect of Crime No.496 of 2024 registered for the offences punishable under Section 103 of BNS, is on board for consideration.

2. The incarceration of the petitioner being from 08.07.2024 pleading

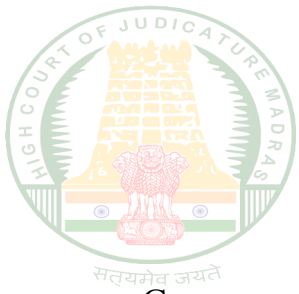


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innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the incident had happened during the quarrel and there is no intention or motive to murder the victim/deceased. He further submits that the co-accused has already been enlarged on bail by this Court in Crl.O.P.No.19364 of 2024 dated 30.08.2024. He also submits that the detention order passed against the petitioner was also revoked 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 there aroused a quarrel between the accused and the victim/deceased when they were having liquor together, during which, the accused had murdered the victim by assaulting him with knives. He further submits that the case has been taken up for trial in S.C.No.302 of 2024 on the file of the II Additional District Judge, Poonamallee and the case now stands posted on 07.02.2025 for examination of witnesses LW1 and LW2. He also submits that there is no previous case against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned



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Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the counter filed by the respondent 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 **Judicial Magistrate No.II, Poonamallee**, 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 appear before the II Additional District Judge, Poonamallee, on all working days, at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond during trial;

[d] the petitioner shall not tamper with evidence or witness during 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



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A.D.JAGADISH CHANDIRA.,J.

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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.

28.01.2025

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To

1. The II Additional District Judge, Poonamallee.
2. The Judicial Magistrate No.II,
Poonamallee.
3. The Inspector of Police,
Avadi Police Station,
Thiruvallur District.
4. The Superintendent,
Central Prison – II, Puzhal, Chennai.
5. The Public Prosecutor,
High Court of Madras.

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