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Crl.O.P.No.912 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

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

Crl.O.P.No.912 of 2025

Srimant Rath

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-3 Teynampet Police Station,
Chennai - 18.
(Crime No.524 of 2024).

... Respondent

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.524 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Ms.R.Girija

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

ORDER

Petition seeking bail in respect of Crime No.524 of 2024 registered for the offence punishable under Section 306 of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 21.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is in no way connected with the alleged offence 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 the accused, who was working at the house of the Chairman of M/s.Trivitron Health Care Pvt. Ltd, had committed theft of a watch, a cash of Rs.50,000/- and foreign currencies. He further submits that no recovery was made from the accused and further, the petitioner hails from the state of Odisha, therefore, if he is released on bail, there is every possibility of him absconding and not available for further investigation.

4. Having heard the learned counsel for the petitioner, 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



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be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of which, one of the sureties should be the blood related surety of the petitioner)**, each for a like sum to the satisfaction of the learned **XVIII Metropolitan Magistrate, Saidapet, Chennai - 15**, 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 blood-related surety of the petitioner should produce proof of his/her permanent residence at Odisha;

[c] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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



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A.D.JAGADISH CHANDIRA.,J.

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Court himself as laid down by the Hon'ble Supreme Court in

P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

22.01.2025

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To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai - 15.
2. The Inspector of Police,
E-3 Teynampet Police Station,
Chennai - 18.
3. The Superintendent,
Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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