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Crl.O.P.No.1483 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.1483 of 2025

Sathish @ Pallu Sathish

... Petitioner/A2

Vs.

The State represented by,
The Inspector of Police,
K11 CMBT Police Station,
Chennai.
(Crime No.1160 of 2018).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, concerned in Cr.No.1160 of 2018, on the file of the respondent police.

For Petitioner : Mr.Charles Kamalesh M.Appaji

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

ORDER

The petitioner/A2, who is facing trial for the offence under Sections 147, 302 r/w 149 of IPC, was granted bail earlier by the trial Court and as he did not appear before the trial Court, a NBW was issued on 11.08.2021 and the warrant was executed on 18.11.2022. Hence, this petition for bail.



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2. The learned counsel appearing for the petitioner submitted that considering the period of incarceration, the petitioner may be released on bail.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner has four previous cases and opposed the bail petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

5. Considering the period of incarceration and since the trial is yet to commence and the petitioner was already released on bail by the trial Court, this Court is inclined to grant bail to the petitioner on stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **III Additional Sessions Judge, Chennai** 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



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ensure their identity;

[b] the petitioner shall appear before the trial Court daily at 10.30 a.m., and before the respondent police daily at 5.30 p.m., failing which, the petitioner can be taken to custody, without any reference to this Court;

[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 B.N.S.

12.02.2025

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SUNDER MOHAN., J.

ars

To

1. The III Additional Sessions Judge,
Chennai.
2. The Inspector of Police,
K11 CMBT Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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(1/2)

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