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Crl.O.P.No.1515 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

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

Crl.O.P.No. 1515 of 2025

Sampath

.. Petitioner

Vs.

State rep. by its Sub Inspector of Police,
N2, Kasimedu Police Station,
Chennai. (Crime No. 770 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.
770 of 2024 on the file of the respondent.

For Petitioner : Mr.G. Ezhil Balaji

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

ORDER

Petition seeking bail in respect of Crime No.770 of 2024 registered for
the offences punishable under Sections 296(b), 351(3), 309(4) and 311 of BNS,
2023 is on board for consideration.

2.The incarceration of the petitioner being from 23.12.2024 pleading
innocence on the part of the petitioner and false implication in the case, learned



Cr1.O.P.No.1515 of 2025

counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner has not committed any offence as alleged by the prosecution, whereas, only to keep him under fetters and to detain him under Act 14, this case has been foisted against him. He also submits that the petitioner is 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 the petitioner is said to have waylaid the de facto complainant and demanded money and when the same was resisted by the de facto complainant, the petitioner abused, threatened and robbed him of a sum of Rs.250/- at knife point. He further submits that there are twelve previous cases against the petitioner.

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**



Crl.O.P.No.1515 of 2025

only) with **two sureties**, (out of which, one surety should be a blood related surety) each for a like sum to the satisfaction of the learned XV Metropolitan Magistrate, George Town, 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 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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Cr1.O.P.No.1515 of 2025

23.01.2025



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Crl.O.P.No.1515 of 2025

A.D.JAGADISH CHANDIRA, J.

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To

1. The XV Metropolitan Magistrate,
George Town, Chennai.
2. The Sub Inspector of Police.
N2, Kasimedu Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1515 of 2025



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Cr1.O.P.No.1515 of 2025

23.01.2025