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Crl.O.P.No.1935 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

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

Crl.O.P.No.1935 of 2025

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... Petitioner

Vs.

The State represented by,
The Inspector of Police,
R1 Mambalam Police Station,
T.Nagar, Chennai.

(Crime No.297 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.297 of 2024, pending investigation on the file of the
respondent Police.

For Petitioner : Mr.S.Kamesh

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

For Intervenor : Mr.R.Aravinth Prakash

ORDER

Petition seeking bail in respect of Crime No.297 of 2024 registered for
the offences punishable under Sections 126(2), 296(b), 109 and 351(3) of BNS, is
on board for consideration.



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2. The incarceration of the petitioner being from 19.12.2024 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 also submits that the petitioner has nothing to do with the alleged offence and only to harass the petitioner, the complaint was lodged against him. He also 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 put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner/accused and the de facto complainant/victim were known to each other when they were working together in Kotak Bank and there arose an enmity between them, due to which, on the alleged date of occurrence, the accused restrained the victim in his work place, abused him in filthy language and assaulted him with a machete causing severe injuries in his ear and all over the body. He further submits that the injured has been discharged from the hospital and the case is under investigation.

4. Learned counsel for the de facto complainant vehemently opposed for grant of bail to the petitioner stating that the petitioner trespassed into the



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Bank, where the victim was working and had committed the offence in front of his colleagues and customers.

5. Having heard the learned counsel for both sides 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 **XVII Metropolitan Magistrate, Saidapet**, 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 stay at Krishnagiri and report before the Inspector of Police, Krishnagiri Town Police Station, everyday at 10.30 a.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;



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[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.

30.01.2025

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To

1. The XVII Metropolitan Magistrate,
Saidapet.
2. The Inspector of Police,
R1 Mambalam Police Station,
T.Nagar, Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

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