



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.02.2025**

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 3225 of 2025

Sathish @ Samaan Sathish

Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
R-1, Mambalam Police Station,
Chennai.

(Crime No.1471 of 2017)

Respondent(s)

For Petitioner(s):

Mr. R.Parthiban

For Respondent(s):

Mr.S.Santhosh

Government Advocate (Crl.Side)

Prayer : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in S.C.No.317 of 2022 pending trial on the file of the learned VII Additional Judge, Chennai.

ORDER

Petition seeking bail in respect of S.C.No.317 of 2022 pending on the file of the learned VII Additional Judge, Chennai, in connection with Crime No.1471 of 2017 registered for the offences punishable under Sections 341, 294(b), 326, 307, 506(ii) r/w Section 34 of IPC, is on board for consideration.



2. Learned counsel for the petitioner submits that this is the second application for bail filed by the petitioner before this Court and his first bail application was dismissed on 18.12.2024. He further submits that the petitioner/A1 is facing trial on the file of the learned VII Additional Judge, Chennai, in S.C.No.317 of 2022. He also submits that since the petitioner was unable to appear before the trial Court, a Non Bailable Warrant of arrest was issued against him on 20.11.2023 and on knowing the same, the petitioner had voluntarily surrendered before the trial court on 20.11.2024 to show his bonafide that he will co-operate for speedy disposal of the trial. He also submits that non-appearance of the petitioner is neither willful nor wanton and now, case stands posted for examination of LW1 and till date, the respondent Police have not produced the witness before the trial Court. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and also ready to offer blood sureties to ensure his presence before the trial Court on all hearing dates without fail. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that since the petitioner/A1 failed to appear before the trial Court in S.C.No.317 of 2022, a non-bailable warrant of arrest was issued against him in the year 2023 and pursuant to the same, he surrendered on



20.11.2024. He also submits that the petitioner is a habitual offender, having several previous cases and the present case now stands posted for chief examination of LW1.

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 fact that the petitioner had voluntarily surrendered before the trial Court and he is ready to offer sufficient blood sureties, 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 (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 **VII Additional 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 ensure their identity;

[b] the petitioner shall appear before the learned VII Additional Judge, Chennai, on all working days at 10.30 a.m., until further orders;



WEB COPY



A.D.JAGADISH CHANDIRA, J.

ham

[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the 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 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.

07.02.2025

HAM

To

1. The VII Additional Sessions Judge, Chennai.
2. The Inspector of Police,
R-1, Mambalam Police Station, Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras

CRL OP NO. 3225 of 2025