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CrI.O.P.N.2576 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.2576 of 2025

Sanjay

... Petitioner

Vs.

The Inspector of Police,
Ambattur Police Station,
Chennai District.
(Crime No.1393 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.1393 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. T. Arul

For Respondent : Mr. A. Gopinath
Government Advocate (CrI.Side)



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ORDER

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Petition seeking bail in respect of Crime No.1393 of 2024 registered for the alleged offences punishable under Sections 296(b) and 351(3) of BNS and Section 3(1) of TNPPT Act, 2023, is on board for consideration.

2. The case of the prosecution is that, the petitioner had caused damage to the defacto complainant's vehicle, Ape Load Auto bearing Registration nos.TN-18-AJ-3868 and TN-20-BN-4875, one Maruthi Ritz bearing Registration No.TN-01-AU-7706 and other vehicles. It is also further stated that the petitioner had threatened the public including the defacto complainant using knife and abused them using filthy language. Hence, this case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He also submitted that the petitioner has been arrested and remanded to Judicial custody on 30.12.2024 and the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation. He



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further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.30,000/- to the credit of Crime No.1393 of 2024, therefore, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for granting of bail to the petitioner submitted that on 29.12.2024, the petitioner had abused the defacto complainant using filthy language and threatened him with dire consequences with knife, further damaged almost 10 vehicles belonging to the defacto complainant and others, further the cost of damage caused by the petitioner is about Rs.60,000/-. He also submitted that the petitioner has one previous case and the present case is under investigation.

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

6. Taking into consideration the facts and circumstances of the case, the nature of offence alleged, the submissions made by the learned counsels on



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either side, the voluntary submission made by the learned counsel for the petitioner, that the petitioner is ready to deposit a sum of Rs.30,000/- to the credit of Crime No.1393 of 2024, the period of incarceration and in any case, since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate, Ambattur** 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 deposit a sum of **Rs.30,000/- (Rupees Thirty Thousands only)** to the credit of Crime No.1393 of 2024 before the learned Magistrate concerned and on such deposit, the learned Magistrate concerned shall re-deposit the same to any of the Nationalized bank under interest bearing scheme and disburse the same, at the time of



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completion of the trial.

**[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 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.

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SUNDER MOHAN, J.

stn

To

1. The Judicial Magistrate,
Ambattur.
2. The Inspector of Police,
Ambattur Police Station,
Chennai District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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