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Crl.O.P.No.2040 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

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

Crl.O.P.No.2040 of 2025

John

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.

(Crime No.36 of 2025).

... 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.36 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Saravanan

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

ORDER

Petition seeking bail in respect of Crime No.36 of 2025 registered for the offences punishable under Sections 296(b), 115(2), 311 and 351(3) of BNS, is on board for consideration.

2. The incarceration of the petitioner being from 04.01.2025 pleading



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innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner has nothing to do with the alleged offence, however, the case was foisted only to keep him under continuous detention. 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 putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the de facto complainant had refused to give money as demanded by the accused, the accused had abused him in filthy language, assaulted him and by threatening him at knife point, extorted a sum of Rs.750/- from his pocket. He further submits that the case is under investigation and further, four previous cases are pending against the petitioner.

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 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**



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only) with two sureties (out of which, one of the sureties should be either the father or mother of the petitioner), 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]*;



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A.D.JAGADISH CHANDIRA.,J.

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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

29.01.2025

ham

To

1. The XV Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal – II.
4. The Public Prosecutor,
High Court of Madras.

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