



Crl.O.P.No.2433 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2433 of 2025

Rohit @ Rohitraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
K-6 T.P. Chathiram Police Station,
Chennai.
(Crime No.166 of 2017).

... Respondent

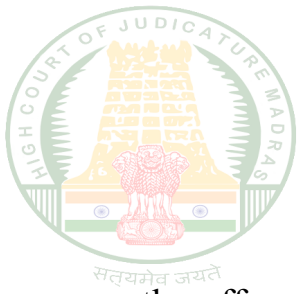
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.166 of 2017, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.G.Abdul Kareem

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 28.08.2024, seeking bail in S.C.No.245 of 2017 pending trial on the file of the learned XVI Additional Sessions Judge, Chennai, in connection with Crime No.166 of 2017 registered for



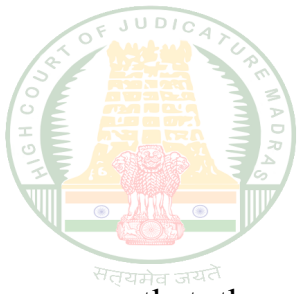
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the offences punishable under Sections 120(B) read with Section 302 read with Section 149, 147, 148, 452, 449, 302, 307, 506(ii) of IPC.

2. The petitioner is facing prosecution for the offence under Sections 120(B) read with Section 302 read with Section 149, 147, 148, 452, 449, 302, 307, 506(ii) of IPC. The petitioner was initially granted bail during the investigation and that during the trial, for his non-appearance, non-bailable warrant was issued on 13.06.2024 and the petitioner was arrested on 28.08.2024 through PT warrant.

3. Learned counsel appearing for the petitioner submitted that, since the petitioner was taken into custody in another case, he could not appear before the trial Court and that the petitioner's non appearance is neither wilful nor wanton. He further submitted that, in any case, petitioner is in custody from 28.08.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted



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that the petitioner has bad antecedents and he has 15 previous cases and in those cases, he is on bail.

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

6. Considering the period of incarceration, petitioner is on bail in all other cases and since further custody is not required, 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 **XVI Additional Sessions 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 report before the trial



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Court on all working day 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;

[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 B.N.S.

04.02.2025

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1. The XVI Additional Session Judge,
Chennai.
2. The Inspector of Police,
K-6 T.P. Chathiram Police Station,
Chennai.
3. The Superintendent,
Central Prison, Cuddalore
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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