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CRL O.P. No.4981 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CRL OP.No.4981 of 2025

Saravanan @ Diesel Saravanan
Son of Rukmangathan

... Petitioner / Accused
Vs

State rep. by:-

The Inspector of Police,
H-8 Thiruvottriyur Police Station.
Complainant.
[Cr. No.1024 of 2024]

... Respondent /

PRAYER:- The Criminal Original Petition is filed under Section 483 of
B.N.S.S., praying to grant bail to the petitioner/Accused in Cr. No.1024
of 2024 on the file of the respondent police.

For Petitioner : Mr. M. Illiyas

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Criminal side).

ORDER

The petitioner / Accused, who was arrested and remanded to
judicial custody on 07.09.2024 for the offences punishable under



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Sections 309 and 311 of B.N.S. in Cr. No.1024 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.09.2024 at about 9 pm., when the defacto complainant parked his Activa vehicle before a Fast Food shop, the accused persons restrained the defacto complainant to enter into the shop, snatched the two cell phones belonging to the defacto complainant and a sum of Rs.75,000/- kept in the pocket of the defacto complainant, at knife point, assaulted the defacto complainant and also threatened with dire consequences. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he has been falsely implicated in this case; that he has nothing to do with the alleged offences; that co-accused were granted bail; that in any case, further custody of the petitioner is not required and that the petitioner, in this case, is in judicial custody from 07.09.2024. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) reiterated the



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prosecution case and submitted that co-accused were already released on bail and that the petitioner has 8 other previous cases, however, he is on bail in all those cases.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations against the petitioner, the period of incarceration from 07.09.2024, the petitioner is on bail in all the other previous cases, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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, Thiruvottriyur** and on further conditions that:



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[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 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]*;



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

05.03.2025

mjs

To

1. The Judicial Magistrate, Thiruvottriyur.
2. The Inspector of Police, H-8 Thiruvottriyur Police Station.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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