



CrI.O.P.No. 2615 of 2025

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.2615 of 2025

Vishal

... Petitioner/2nd Accused

Vs.

State by
Inspector of Police
E-3 Minjur Police Station
Chennai.
(Crime No. 368 of 2024)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in S.C.No. 395 of 2024 on the file of the IV ADDL District Judge at Ponneri in Crime No. 369 of 2024 pending on the file of respondent.

For Petitioner : Mr. V.Parthiban

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



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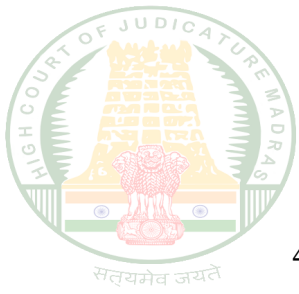
ORDER

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Petition seeking bail in respect of Crime No.369 of 2024 registered for the offences punishable under Sections 147, 148, 302 of IPC, is on board for consideration.

2. The case of the prosecution as per the defacto complainant is that the victim/deceased and the first accused were inmates in the prison and after coming out of the prison, the first accused had developed illicit intimacy with the wife of the victim and on coming to know about the same, the victim/deceased had warned the first accused. Thereby, the first accused, enraged over the warning of the victim/deceased, had conspired with the other accused and in the guise of inviting the victim for consuming liquor, had murdered him. Hence, the case.

3. The learned counsel for the petitioner would submit that the the petitioner is in custody from 26.06.2024 and all the co-accused were released on bail by this Court by orders passed in CrI.O.P.Nos. 29308, 28500 & 29451 of 2024 and considering the period of incarceration, the petitioner, the petitioner may be released on bail.

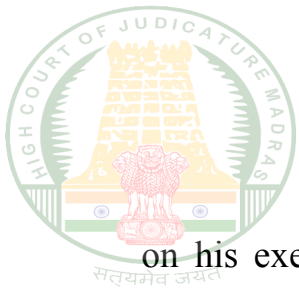


4. The learned Government Advocate (Criminal Side) appearing for the respondent police per contra would submit that though the co-accused have been released on bail, the petitioner has five previous cases and considering his antecedents, the bail application may be dismissed.

5. This Court while releasing the co-accused on bail in Crl.O.P.No. 29308 of 2024 on 22.11.2024 had passed the following order:-

“6. Taking into consideration the facts and submissions made by the learned counsel on either side and taking note of the fact that the case has been committed to the Court of Sessions and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.”

6. It is stated by the learned Government Advocate (Crl. Side) that though there are previous cases against the petitioner, the petitioner is on bail in all the other cases. Considering the fact that the co-accused have been released on bail and the case has been committed to the Court of Sessions and considering the period of incarceration, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail



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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 **IV**

Additional District Court, Ponneri and on further conditions that:

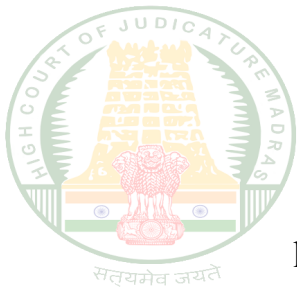
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall appear before the learned **IV Additional District and Sessions Judge, Ponneri, on all working days at 10.30 a.m., until further orders and he shall also report before the respondent Police on every Saturday 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



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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.

04.02.2025

vsg

To

1. IV Additional District Court,
Ponneri.
2. Inspector of Police
E-3 Minjur Police Station
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN., J.



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