



Crl.O.P.No.2348 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

Crl.O.P.No.2348 of 2025

Gopi @ Gopinath

... Petitioner/A2

Vs.

The State represented by,  
The Sub Inspector of Police,  
C3 Seven Wells Police Station,  
Chennai.  
(Crime No.3 of 2025).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.3 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.Ezhil Balaji

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 02.01.2025, seeking bail in Crime No.3 of 2025 registered for the offence under Sections 126(2), 296(b), 125, 311,



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324(1) & 351 (3) of BNS.

2. The case of the prosecution is that the petitioner along with the other accused waylaid the defacto complainant, demanded money and when the same was refused, he had robbed a sum of Rs.500/- at knife point; and that a case was registered for the offences under Sections 126(2), 296(b), 125, 311, 324(1) & 351 (3) of BNS.

3. The learned counsel appearing for the petitioner would submit that the petitioner is in custody from 02.01.2025; that he is innocent and that his further custody is not required for the purpose of investigation; and that therefore, prayed for grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police *per contra* submitted that the petitioner has two previous cases, out of which, one was registered for the offence under the NDPS Act and the other for the offence under Section 392 of the IPC and that he is on bail in both the cases.

5. Heard the learned counsel appearing for the petitioner and the learned



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Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the above facts, the nature of allegations, the period of incarceration and that his further custody 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 **VIII 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 10.30 a.m., until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;



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[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.

**05.02.2025**

*ars*



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To

1. The VIII Metropolitan Magistrate,  
George Town, Chennai.
2. The Sub Inspector of Police,  
C3, Seven Wells Police Station,  
Chennai.
3. The Superintendent,  
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.



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**SUNDER MOHAN., J.**

*ars*

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**05.02.2025**