



Crl.O.P.No.2585 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2585 of 2025

Sagayamoorthi

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Redhills Police Station,
Thiruvallur District.
(Crime No.13 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.13 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. P. Chandrasekar

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



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ORDER

Petition seeking bail in respect of Crime No.13 of 2025 registered for the alleged offences punishable under Sections 296(b), 309(4), 311 and 351(3) of BNS, is on board for consideration.

2. The case of the prosecution is that, on 07.01.2025, while the defacto complainant was riding in his auto, the petitioner waylaid him and demanded money, that while the same was refused, the petitioner abused the defacto complainant using filthy language; and that he threatened him with dire consequences, thereafter robbed Rs.300/- at knife point. Hence, this case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and has not committed any offence as alleged by the prosecution. He also submitted that the petitioner has been arrested and remanded to judicial custody on 07.01.2025. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, therefore, prayed to grant bail to the petitioner.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for granting of bail to the petitioner submitted that the petitioner had waylaid the defacto complainant, abused and at knife point robbed Rs.300/-, further threatened him with dire consequences. He also submitted that the petitioner herein has three previous cases, out of which two cases are under Section 506(ii) and one case is under Section 307 and further investigation of this case is pending.

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

6. Taking into consideration the facts and circumstances of the case, considering the nature of allegation, the submissions made by the learned counsels on either side, considering the period of incarceration and though the petitioner has three previous case, he has been arrested and released on bail in all the other cases and further custody of the petitioner is not required for the purpose of investigation in the present case, this Court is inclined to grant bail to the petitioner with certain conditions.



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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 Judicial Magistrate II, 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 report before the respondent Police on 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



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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.

03.02.2025

stn

To

1. The Judicial Magistrate II,
Ponneri.
2. The Inspector of Police,
Redhills Police Station,
Thiruvallur District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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