



Crl.O.P.No.2579 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.2579 of 2025

Nirmalkumar @ Barpi

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Thiruvottiyur Police Station,
Chennai.
(Crime No.1347 of 2024).

... 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.1347 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : M/s. M. Illiyas

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



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submitted that the petitioner along with other accused waylaid and robbed Rs.520/- from the defacto complainant. He also submitted that the petitioner is having three previous cases and he has been detained under Act 14 of 1982, as per the Detentions Order No.1165/BCDFGISSSV/2024 dated 27.11.2024, further the investigation is pending.

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

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, the submissions made by the learned counsels on either side, the period of incarceration and since further custody of the petitioner 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 (out of which, one surety shall be a blood related surety)**,



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each for a like sum to the satisfaction of the **learned X Metropolitan Magistrate, Egmore, 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;

[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 of B.N.S.

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stn

To

1. The X Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
Thiruvottiyur Police Station,
Chennai.
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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