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Crl.O.P.No.3090 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3090 of 2025

Manikandan S/o. Selvam

... Petitioner

Vs.

The State represented by:

The Inspector of Police,
T-5 Tiruverkadu Police Station,
Chennai-600 077.
(Crime No.49 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.49 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S. Parkavi

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

ORDER

This Criminal Original Petition has been filed by the petitioner/accused, who was arrested and remanded to judicial custody on 21.01.2025, seeking bail in Crime No.49 of 2025 registered for the offences under Sections 296(b), 309(4) 311 and 351(3) of BNS.



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2. The case of the prosecution is that the petitioner along with other accused threatened the defacto complainant at knife point by demanding rowdy mamool, abused with filthy language and robbed Rs.500/- and threatened him with dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 21.01.2025; and that further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, submitted that, totally there are 3 accused; that the petitioner is also involved in 13 other previous cases and investigation is pending. Further, the learned Government Advocate admitted that in all other previous cases, the petitioner was granted bail.

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 nature of allegations, period of incarceration, the petitioner was granted bail in all the previous cases and since 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 **Judicial Magistrate-II, Poonamallee** 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



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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.

07.02.2025

mjs

To

1. The Judicial Magistrate-II,
Poonamallee.
2. The Inspector of Police,
T-5 Tiruverkadu Police Station,
Chennai-600 077.
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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