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CrI.O.P.No. 3038 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.3038 of 2025

Nagaraj @ Vellai Nagaraj
S/o. Nithiyanantham
No.14, Narayanappan Street
Old Washermenpet
Chennai – 600 021.

... Petitioner/Accused

Vs.

State Rep. by:
The Inspector of Police,
H-1, Washarmenpet Police Station
Chennai – 600 021.
(Crime No. 49 of 2025)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in CrimeNo. 49 of 2025 on the file of the H-1, Washarmenpet Police Station, Chennai – 600 021.

For Petitioner : Mr. P.Roshankumar

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



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ORDER

Petition seeking bail in respect of Crime No.49 of 2025 registered for the offences punishable under Sections 296(b), 115(2), 309(4), 351(3) of BNS, is on board for consideration.

2. The case of the prosecution is that the petitioner along with other accused waylaid he defacto complainant and robbed a sum of Rs.450/- at knife point.

3. The learned counsel for the petitioner would submit that the allegations against him are false; that the co-accused has been granted bail by the trial Court in CrI.M.P.No. 721 of 2025 dated 04.02.2025; that in any case, considering the period of incarceration from 16.01.2025, the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police per contra would submit that there are 13 previous cases registered against the petitioner; that the petitioner is on bail in those cases.



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5. Considering the fact that the petitioner is on bail in the previous cases and the further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on 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 **XV Metropolitan Magistrate Court, 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 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;



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[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 of B.N.S.

06.02.2025

vsg

To

1. XV Metropolitan Magistrate Court,
George Town, Chennai.
2. The Inspector of Police,
H-1, Washarmenpet Police Station
Chennai – 600 021.
3. Puzhal Prison -II, Chennai
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

vsg

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