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Crl.O.P.No.3736 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3736 of 2025

Lakshmi Narayanan

... Petitioner/Accused No.2

Vs.

State through
The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai – 01.
(Crime No.296 of 2024)

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.296 of 2024 on the file of the respondent police.

For Petitioner : Mr.G.Mohana Krishnan

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



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.01.2025, seeking bail in Crime No.296 of 2024 registered for the offence under Sections 316(5), 318(4), 351(2) BNS.

2.The case of the prosecution is that the petitioner along with other accused had obtained a sum of Rs.40,00,000/- from the defacto complainant in the year 2021 under promise that they would obtain gold bars from the bank at a low price, and that in spite of several remainders, the petitioner neither repaid the money nor obtained the gold bars. Hence, the complaint.

3.Learned counsel appearing for the petitioner submitted that the the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 17.01.2025 and co-accused had been granted bail by this Court in Crl.O.P.No.3736 of 2025. Hence, he prayed for grant of bail to the petitioner.



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4.Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and opposed for the grant of bail to the petitioner.

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

6.Considering the fact that the co-accused in this case had been granted bail by this Court and also considering the period of incarceration, 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.10,000/- (Rupees Ten 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:



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[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]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.02.2025

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1. The VIII Metropolitan Magistrate,
George Town, Chennai.
2. The Superintendent,
Central Prison- Puzhal.
3. The Public Prosecutor,
High Court, Madras.
4. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai – 01.



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G.K.ILANTHIRAIYAN, J.

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