



Crl.O.P.No.3310 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3310 of 2025

1. Karthik @ Pongal Karthik

2. Sathish @ Sosan

... Petitioners/A1 & A3

Vs.

The State represented by,
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
(Crime No.4 of 2025).

... Respondent

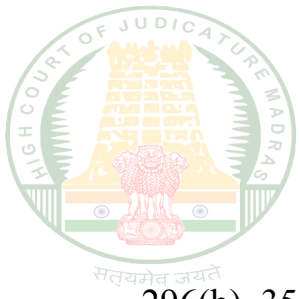
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.4 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.D.Padmanabhan

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 02.01.2025, seeking bail in Crime No.4 of 2025 registered for the offence under Sections 109(1), 118(1), 126(2),



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296(b), 351(3) of BNS Act, 2023.

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2. The case of the prosecution is that on account of previous enmity, these petitioners along with another accused assaulted the defacto complainant's son with knife and also attacked his relative, who came to his rescue.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in custody from 02.01.2025 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

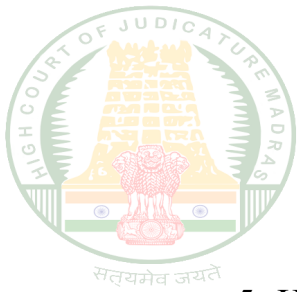
4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the case of the prosecution and submitted that the investigation is pending; that both the victims sustained injury and they were treated as in-patient and got discharged; that the 1st petitioner/A1 is having 2 previous cases including one case under Section 302 of the IPC and the 2nd petitioner/A3 is having 8 previous cases including 2 cases under Section 302 of the IPC.



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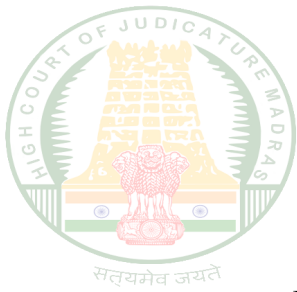
5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Though, there are previous cases against the petitioners, admittedly, both of them are on bail, in those cases. Therefore, considering the period of incarceration, the fact that the injured have been discharged and since, further custody of the petitioners, is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the learned **XV Metropolitan Magistrate, 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 petitioners shall report before the respondent



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Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

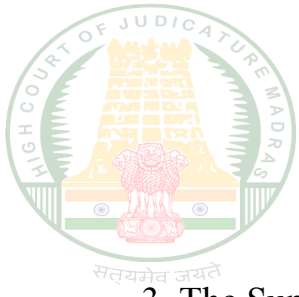
10.02.2025

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To

1. The XV Metropolitan Magistrate,
George Town, Chennai.

2. The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.



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3. The Superintendent,
Central Prison, Puzhal-II, Chennai.

4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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