



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.3322 of 2025

1.Bharathi Raja
2.Settu

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Poonamallee Police Station,
Tiruvallur District.

(Crime No.52 of 2025).

... Respondent

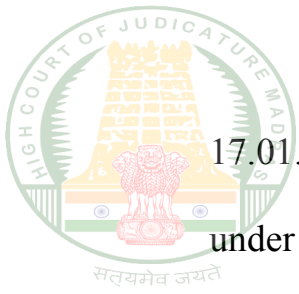
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.52 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.B.Sasikala

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioners/accused, who were arrested and remanded to judicial custody on



17.01.2025, seeking bail in Crime No.52 of 2025 registered for the offences under Sections 115(2), 118(1), 125, 296(b), 309(4), 311, 324(4) & 351(3) of

WEB COBNS.

2. The case of the prosecution is that the petitioners along with the other accused came in an auto and waylaid the defacto complainant's auto, abused him in filthy language, assaulted him with hands and caused injuries to him and robbed Rs.1770/- at knife point. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false and that A3 was granted bail by this Court in CrI.O.P.No.4754 of 2025 on 21.02.2025; that the petitioners are in custody from 17.01.2025 and hence further custody is not required and sought for bail.

4. Learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that the first petitioner is having 12 previous cases and the second petitioner has 15 previous cases.



WEB COPY

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that the petitioners are on bail in all other previous cases, the co-accused was granted bail by this Court in CrI.O.P.No.4754 of 2025 on 21.02.2025 and that since further custody 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 separate 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 **Judicial Magistrate Court No.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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

WEB COPY

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

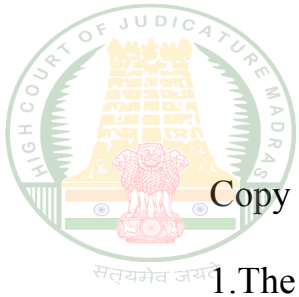
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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.

11.03.2025

ata



Copy to:

1.The Inspector of Police,
Poonamallee Police Station,
Tiruvallur District.

2.The Judicial Magistrate Court No.II, Poonamallee.

3.The Superintendent of Prison,
Central Prison, Puzhal – II.

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



SUNDER MOHAN, J.

ata

CrI.O.P.No.3322 of 2025

11.03.2025