



WEB COPY

Crl.O.P.No.3692 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3692 of 2025

Manoharan

... Petitioner

Vs.

State Rep. by
The Inspector of Police
H6, RK Nagar Police Station
Chennai.
(Crime No.141 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in C.C.No.1019 of 2020 on the file of XV Metropolitan Magistrate, George Town at Chennai.

For Petitioner : Mr.S.Ramachandran

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 30.12.2024, seeking bail in C.C.No.1019 of 2020 on the file of XV Metropolitan Magistrate, George Town at Chennai, in connection with Crime No.141 of 2020 registered for the offence under Sections 294(b), 323 & 506(ii) IPC r/w. Section 4 TNPHW Act.

2.The case of the prosecution is that the petitioner, who is an accused facing trial in C.C.No.1019 of 2020 on the file of XV Metropolitan Magistrate, George Town at Chennai, did not appear before the said Court for the hearing on



21.11.2024, owing to which, a non bailable warrant was issued against him on the same day and he was secured and remanded to judicial custody on 30.12.2024.

The case is now posted for fixing a date for trial before the trial Court.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 30.12.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the case of the prosecution. The learned Government Advocate further submitted that since the case is pending for trial, if the petitioner is released on bail, there is every possibility of him absconding again and not available for trial. The learned Government Advocate further submitted that there are two previous cases against the petitioner, which are similar in nature.

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 nature of allegations, period of incarceration undergone by the petitioner and the fact that the petitioner was released on bail in all the previous cases and since further custody of the petitioner is not required.



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 **XV Metropolitan Magistrate, George Town at 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, everyday at 10.30 a.m., until further orders;**

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

[e] 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.

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SUNDER MOHAN, J.

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To

1.The XV Metropolitan Magistrate,
George Town at Chennai

2.The Inspector of Police
H6, RK Nagar Police Station
Chennai.

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

4.The Public Prosecutor,
High Court of Madras.

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