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Crl.O.P.No.3761 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

**THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN**

Crl.O.P.No.3761 of 2025

Mariiyappan

... Petitioner

Vs.

State, Rep. by  
The Inspector of Police  
Vellavedu Police Station  
Thiruvallur District  
(Crime No.15 of 2025)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioner on bail in Crime No.15 of 2025, on the file of the respondent Police.

For Petitioner : Mr.A.Tamilselvan

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 24.01.2025, seeking bail in Crime No.15 of 2025 registered for the offence under Section 310(4) of BNS (Section 399 of IPC).

2.The case of the prosecution is that the petitioner along with others



was found preparing to commit dacoity.

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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 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 prosecution case. The learned Government Advocate further submitted that there are four previous cases against 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 nature of allegations, period of incarceration undergone by the petitioner, 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 (the sureties should be a blood related sureties) for a like sum to the satisfaction of the learned Judicial Magistrate II, Poonamallee, 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., for a period of 15 days, and thereafter as and when required;**

[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**

*sai*



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**G.K. ILANTHIRAIYAN, J.**

*sai*

To

1.The Judicial Magistrate II,  
Poonamallee

2.The Inspector of Police,  
Vellavedu Police Station  
Thiruvallur District

3.The Superintendent,  
Central Prison, Puzhal II.

4.The Public Prosecutor,  
High Court of Madras.

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