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Crl.O.P.No.3901 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3901 of 2025

Rajasekar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kilkodungalore Police Station,
Thiruvannamalai District.
(Crime No.269 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.269 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Sankarasubbu
for Mr.E.Parthiban

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

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.269 of 2023 registered for the offence under Sections 143, 294(b), 353, 506(1) of IPC.



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2. The case of the prosecution is that the petitioner along with other accused unlawfully assembled in the public place, caused disturbance to the public and also abused the police party in filthy language. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been false implicated in this case. He further submitted that, for the incident that had happened in the year 2023, petitioner is in custody from 17.01.2025 and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the the petitioner is an habitual offender and there are 7 previous cases against him and in those cases, petitioner is on bail.

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.



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6. Considering the period of incarceration; petitioner is on bail in other cases and since further custody is not required for the purpose of investigation, 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 **Judicial Magistrate, Vandavasi, Tiruvannamalai District.**

[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 stay at Trichy and report before Inspector of Police, Trichy Town Police Station for a period of two weeks and thereafter 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;



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[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 B.N.S.

19.02.2025

Sma
To

1. Judicial Magistrate, Vandavasi, Thiruvannamalai..
2. The Inspector of Police,
Kilkodungalore Police Station,
Thiruvannamalai District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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