



Crl.O.P.No.4266 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.4266 of 2025

1.Arokiaraj

2.Ajith @ Abith

...Petitioners/Accused 1 & 2

Vs.

State through
The Inspector of Police,
Tiruverkadu Police Station,
Tiruvallur District.

(Crime No.49 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.49 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.N.Malik Saleem

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



Crl.O.P.No.4266 of 2025

ORDER

WEB COPY

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 21.01.2025, seeking bail in Crime No.49 of 2025 registered for the offence under Sections 296(b), 309(4), 311 and 351(3) of BNS, 2023.

2.It is the case of the prosecution that the petitioners had attacked the defacto complainant with hands and snatched Rs.500/- at knife point. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and that the petitioners have been in custody from 21.01.2025 and hence, further custody of the petitioners is not required. Hence, he prays for the grant of bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that A1 is having five previous cases and A2 is having nine previous cases pending against them.



Crl.O.P.No.4266 of 2025

WEB COPY

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.Considering the period of incarceration and that the petitioners are on bail in other cases 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 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 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;



Crl.O.P.No.4266 of 2025

[b] the petitioners shall report before the respondent Police, every day 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.

19.02.2025

ata



CrI.O.P.No.4266 of 2025

Copy to:

WEB COPY

- 1.The Inspector of Police,
Tiruverkadu Police Station,
Tiruvallur District.
- 2.The Judicial Magistrate No.II, Poonamallee.
- 3.The Superintendent of Prison,
Central Prison – II, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.4266 of 2025

SUNDER MOHAN, J.

ata

CrI.O.P.No.4266 of 2025

19.02.2025