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Crl.OP.No.4610 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

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**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.OP.No.4610 of 2025

1.Sathish @ Kulla Sathish  
2.Rohit Kumar

... Petitioners /Accused 1&3

Vs.

The State rep. by  
The Inspector of Police,  
E-3, Teynampet Police Station,  
Chennai District.

... Respondent/ Complainant

(Crime No.52 of 2025)

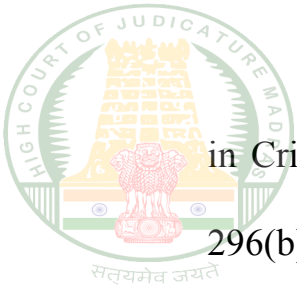
**Prayer:** Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of arrest in Crime No.52 of 2025 by the respondent Police.

For petitioner : Mr.P.Muthamizhselvakumar

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

### **ORDER**

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 03.02.2025, seeking bail



in Crime No.52 of 2025 registered for the offence under Sections 126(2), 296(b), 118(1), 125, 309(4), 311, 351(3) of BNS.

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2.It is the case of the prosecution that the petitioners along with the other accused had waylaid the defacto complainant and demanded money; that the defacto complainant refused to give money; that the accused had abused him in filthy language, assaulted him with beer bottle and robbed 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 further submitted that the injured has been discharged from the hospital and the learned counsel for the petitioners also made an endorsement withdrawing the petition insofar as A1/the first petitioner.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are twelve previous cases pending against the first petitioner and two previous cases are pending against the second petitioner.



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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 against A3/the first petitioner and since his custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the 2<sup>nd</sup> petitioner/A3 alone with certain conditions and the petition is dismissed in respect of the 1<sup>st</sup> petitioner/A1.

7.Accordingly, the 2<sup>nd</sup> 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 **XVIII Metropolitan Magistrate Court, Saidapet**, 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 2<sup>nd</sup> petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**

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[c] the 2<sup>nd</sup> petitioner shall not abscond either during investigation or trial;

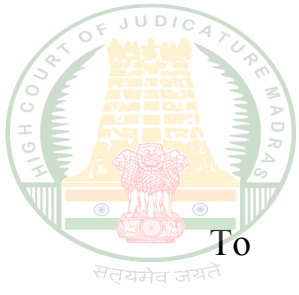
[d] the 2<sup>nd</sup> petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 2<sup>nd</sup> petitioner in accordance with law as if the conditions have been imposed and the 2<sup>nd</sup> 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.

21.02.2025

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To

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1. The Inspector of Police,  
E-3, Teynampet Police Station,  
Chennai District.

2. Central Prison, Puzhal.

3. The XVIII Metropolitan Magistrate Court, Saidapet.

2. The Public Prosecutor,  
Madras High Court,  
Chennai.



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**SUNDER MOHAN, J.**

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