



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6775 of 2025

Deepak @ Chinna Deepak

...Petitioner/Accused 1

Vs.

State rep by
The Sub Inspector of Police,
N2, Kasimedu Police Station,
Chennai.

(Crime No.61 of 2025)

... Respondent

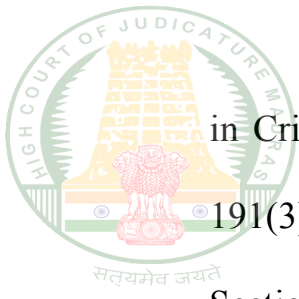
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.61 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.G.Ezhilbalaji

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 25.01.2025, seeking bail



in Crime No.61 of 2025 registered for the offence under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 324(4), 125, 309(4), 311, 351(3) of BNS and Section 3 of TNPPDL Act, 1992.

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2.It is the case of the prosecution that the petitioner along with the other accused waylaid the defacto complainant, abused him in filthy language, assaulted him and robbed Rs.2,000/- at knife point. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the similarly placed co-accused have been granted bail by this Court in Crl.O.P.Nos.3566 & 5221 of 2025 on 13.02.2025 and 26.02.2025 and that in any case, considering the period of incarceration from 25.01.2025, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are seven previous cases pending against the petitioner and he is on bail in all the previous cases.



5. Heard the learned counsel on either side and perused the materials available on record.

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6. Though the earlier bail application of the petitioner was dismissed as withdrawn, considering the nature of allegations, period of incarceration and the fact that the petitioner is on bail in all the previous cases and similarly placed co-accused have been granted bail by this Court in Crl.O.P.Nos.3566 & 5221 of 2025, this Court is of the view that further custody of the petitioner is not required. Hence, 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 **XVI Metropolitan Magistrate, GT, 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;

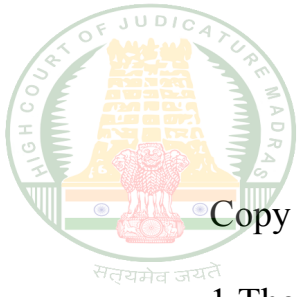
[d] the petitioner shall not tamper with evidence or witness either
during investigation or trial;

[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 B.N.S.

10.03.2025

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Copy to:

1. The Sub Inspector of Police,
N2, Kasimedu Police Station,
Chennai.

2. The XVI Metropolitan Magistrate, GT, Chennai.

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

4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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