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Crl.O.P.No.5289 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5289 of 2025

Ajith Kumar

... Petitioner

Vs.

The State Rep. By
The Inspector of Police,
M3, Puzhal Police Station, Chennai.
(Crime No.109 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.109 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.Mohana Krishnan

For Respondent : Mr. S.Santhosh
Government Advocate (Crl.Side)



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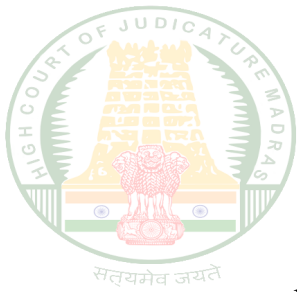
ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 16.02.2025 seeking bail in Crime No.109 of 2025 registered for the offence under Sections 309(4) and 311 of BNS.

2. The case of the prosecution is that, the petitioner along with other accused had waylaid the de facto complainant; that he robbed an amount of Rs.2,000/- from the de facto complainant at knife point. Hence, this case.

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 further submitted that, petitioner is in custody from 16.02.2025; that the petitioner is a practising advocate and false case has been foisted against him by misusing stock witness of the respondent police and thus prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Criminal Side) appearing for the



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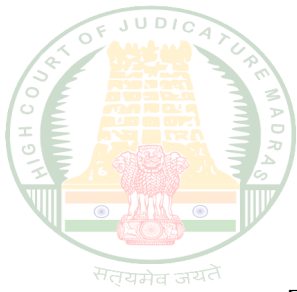
respondent police submitted that there is one previous case as against the petitioner.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the aforesaid submission, nature of allegation against the petitioner, period of incarceration and the petitioner is on bail in the previous case and since further custody of the petitioner 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, Madhavaram** and on further conditions that:

[a] the sureties shall affix their photographs and Left



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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]*;

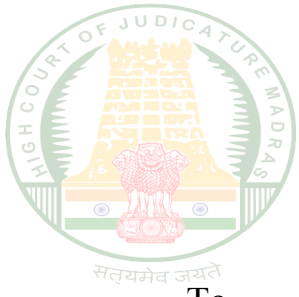
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

26.02.2025

vca

SUNDER MOHAN, J.

vca



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To
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1. The Judicial Magistrate,
Madhavaram
2. The Inspector of Police,
M3, Puzhal Police Station, Chennai.
(Crime No.109 of 2025).
3. The Superintendent,
Puzhal Jail, Chennai District
4. The Public Prosecutor,
High Court of Madras.

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