



Crl.O.P.No.6054 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6054 of 2025

Babu

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
(Crime No.149 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.149 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Illiyas

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 15.02.2025, seeking bail in Crime No.149 of 2025 registered for the offence under Sections 296(b), 118(1), 109(1), 351(3) of BNS Act [294(b), 324, 307, 506(ii) of IPC].



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2. The case of the prosecution is that the petitioner/A1 is the son of A2 and that A2 had illicit relationship with another woman and it was questioned by the defacto complainant, who is the sister-in-law and hence petitioner along with with A2 and A3 had assaulted the defacto complainant using wooden log and also abused in filthy language. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that based on the complaint lodged by the petitioner, an FIR in Crime No.150 of 2025 was registered against the defacto complainant; that the petitioner is in custody from 15.02.2025 and further custody is not required for the purpose of investigation. and hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and confirms the fact that there is a counter case registered in Crime No.150 of 2025.



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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, nature of allegation against the petitioner; relationship between the parties; period of incarceration; 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 their 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 **XV Metropolitan Magistrate, George Town, 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;



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[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.

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1. XV Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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