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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6230 of 2025

Sathih Kumar @ Susil ... Petitioner

Vs.

The State represented by,
The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.
(Crime No.96 of 2025). ... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Crime No.96 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Velmurugan

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

O R D E R

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.02.2025, seeking bail in Crime No.96 of 2025 registered for the offence under Sections 126, 296(b), 109 and 351(3) of BNS [341, 294(b), 307 and 506(ii) of IPC]

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2. The case of the prosecution is that, due to previous enmity, petitioner waylaid the defacto complainant and threatened him of dire consequences. Hence, the 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 the petitioner is in custody from 11.02.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, submitted that, in the alleged occurrence, the defacto complainant sustained no injuries. He further submitted that, apart from this case, petitioner has four previous cases and in those cases, petitioner is on bail.

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.

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6. Considering the fact that in the alleged occurrence, no one sustained injuries, period of incarceration, the petitioner is on bail in other cases and that 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 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 **XVI 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;

[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;

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[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.

05.03.2025

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To

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1. XVI Metropolitan Magistrate, George Town, Chennai.

2.The Inspector of Police,
N-2, Kasimedu 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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