



Crl.O.P.No.7146 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7146 of 2025

Harith

...Petitioner

Vs.

The State represented by,
The Inspector of Police,
B4 High Court Police Station,
Chennai
(Crime No.04 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.04 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.B.J.Santhosh Kumar

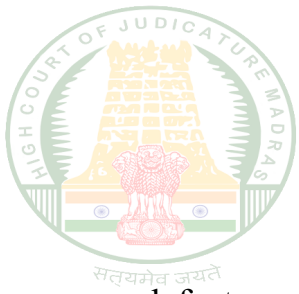
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

For Intervenor : Mr.A.Jayamohan

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 21.02.2025, seeking bail in Crime No.04 of 2025 registered for the offence under Sections 316(2), 318(2), 319 BNS [IPC 406, 417, 417]

2. The case of the prosecution is that, petitioner had informed the



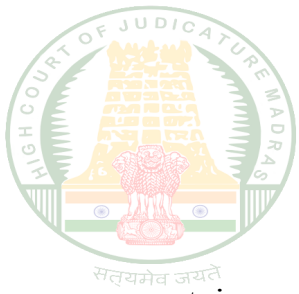
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defacto complainant that, he is an Advocate and he misrepresented that he knows the Judges and that he will get favourable orders for the defacto complainant for his property dispute; that believing the said words, defacto complainant gave a sum of Rs.8,00,000/- to the defacto complainant, however, petitioner had returned only a sum of Rs.3,40,000/-. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that, allegations against the petitioner are totally false; that petitioner without prejudice to his defence is ready and willing to deposit a sum of Rs.4,00,000/- to the credit of Crime Number.04 of 2025 and in any case, petitioner is in custody from 21.02.2025 and he may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution cases and submitted that, petitioner has no previous case.

5. Considering, the nature of allegation; the fact that the petitioner undertakes to pay a sum of Rs.4,00,000/- to the credit of Crime Number, period of incarceration; and since further custody is not required for the purpose of investigation in this case, this Court is inclined to grant bail to the petitioner with



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certain conditions.

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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 **VII 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 **deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs only)**each to the credit of Crime No.04 of 2025 before the *learned VII Metropolitan Magistrate, George Town, Chennai*.

[c] the petitioner shall report before the **respondent Police, everyday at 10.30 a.m., until further orders;**

[d] the petitioner shall not abscond either during investigation or trial;

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



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[f] 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]***;

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

14.03.2025

Sma

To

1. VII Metropolitan Magistrate George Town, Chennai.
2. The Inspector of Police,
B4 High Court Police Station,
Chennai
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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