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CRL O.P. No.7838 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.7838 of 2025

Shanker S/o. Selvakumar .. Petitioner / Accused-1

Vs

State rep. by:-

The Inspector of Police,
Sevvapet Police Station,
Thiruvallur District.
[Cr. No.34 of 2025]

... Respondent

PRAYER:- Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Cr. No.34
of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A. Arun Kumar

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER

This Criminal Original Petition has been filed by the petitioner,



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who was arrested and remanded to judicial custody on 11.02.2025, seeking bail in Cr. No.34 of 2025 registered for the offences under Sections 126(2), 296(a), 115(2), 125, 309(4), 311 and 351(3) of B.N.S.

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2. The case of the prosecution is that the petitioner waylaid the defacto complainant and demanded money; that when the defacto complainant refused to give money, the petitioner along with other accused, assaulted him, threatened and robbed Rs.350/- at knife point.

3. The learned counsel for the petitioner would contend that the petitioner has nothing to do with the offences as alleged by the prosecution; and that considering the period of incarceration of the petitioner, prayed that the petitioner may be granted bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and on instructions submitted that, the petitioner has 13 previous cases, in which, 7 cases have been disposed of



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and the in the remaining cases, the petitioner is on bail.

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5. Considering the aforesaid facts, the nature of allegations against the petitioner, period of incarceration, the fact that the petitioner is in bail in other cases 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.

6. 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 No.II, Thiruvallur.**

[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



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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.

18.03.2025

mjs

To

1. The Judicial Magistrate No.II, Thiruvallur.
2. The Inspector of Police, Sevvapet Police Station, Thiruvallur District.
3. The Superintendent of Police, Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

SUNDER MOHAN., J.

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