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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.03.2025

CORAM:

THE HON`BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.7826 of 2025

Prakash S/o. Muthuselvan .. Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
D-3 Ice House Police Station,
Chennai. ... Respondent
[Cr. No.106 of 2025]

PRAYER: - Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Cr. No.106 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
[Criminal side]

ORDER

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.03.2025, seeking bail in Cr. No.106 of 2025 registered for the offences under Sections 296(b), 118(1), 309(4), 311 and 351(3) of B.N.S.

2. The case of the prosecution is that the petitioner waylaid the defacto complainant and robbed Rs.1,000/- 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 2 previous cases, in which, he is on bail.

5. Considering the aforesaid facts, the nature of allegations against

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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 II **Metropolitan Magistrate, Egmore, Chennai.**

[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

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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

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To

1. The II Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, D-3 Ice House Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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SUNDER MOHAN., J.

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