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Crl.O.P.No.9871 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.9871 of 2025

Sankar @ Chella

...Petitioner/Accused-2

Vs.

State rep by
The Inspector of Police,
Sholavaram Police Station,
Thiruvallur District.

(Crime No.84 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.84 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.P.Chandrasekar

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 06.02.2025, seeking bail



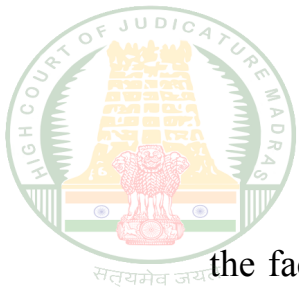
in Crime No.84 of 2025 registered for the offence under Sections 309(4),
311 BNS Act and Section 4 of Tamil Nadu Prohibition of Women
Harassment Act.

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2.It is the case of the prosecution that on 06.02.2025, the petitioner along with other accused abused the defacto complainant in filthy language and also robbed mobile phone from the defacto complainant at the knife point. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and the allegations are false; that the stolen article was recovered; and that in any case, the petitioner is in custody from 06.02.2025 and hence, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the stolen article was recovered and that the petitioner has two previous cases.



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5. Considering the nature of allegations, period of incarceration and the fact that stolen article was recovered and though the petitioner has two previous cases, he is on bail in all those 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 **Judicial Magistrate No.II, Ponneri** 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.

03.04.2025

rkp

Copy to:

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



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SUNDER MOHAN, J.

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