



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2025

WEB COPY

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.10747 of 2025

V.Surya

...Petitioner/Accused

Vs.

State rep by  
The Inspector of Police,  
H-1, Washermenpet Police Station,  
Chennai.

(Crime No.233 of 2025)

... Respondent

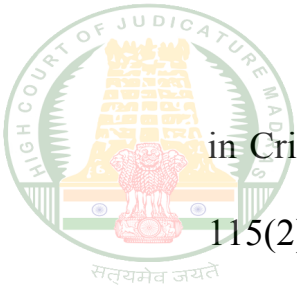
**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.233 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Prathap Raj

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 24.03.2025, seeking bail



in Crime No.233 of 2025 registered for the offence under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023.

WEB COPY

2.It is the case of the prosecution that on 23.03.2025 at about 9.30 p.m., due to wordy quarrel, the petitioner along with the other accused had abused the defacto complainant in filthy language, assaulted him with beer bottle and caused injuries and threatened him of dire consequences. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the injured was treated as an out patient and was discharged on the same day; that the petitioner also lodged a counter complaint against the defacto complainant in Crime No.232 of 2025; and that in any case, the petitioner is in custody from 24.03.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact that the injured was treated as an out patient, there is a case of case and counter case and that there are



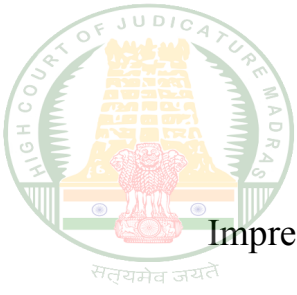
eight previous cases pending against the petitioner and he is on bail in those cases.

WEB COPY

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, the period incarceration, the fact the petitioners are on bail in the previous cases, the injured has been treated as out patient, there is a case of case and counter case 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:

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 **XV 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;

[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.

09.04.2025

ata



Copy to:

1.The Inspector of Police,  
H-1, Washermenpet Police Station,  
Chennai.

2.The XV Metropolitan Magistrate, George Town, Chennai.

3.The Superintendent of Prison,  
Central Prison – II, Puzhal, Chennai.

4.The Public Prosecutor,  
High Court, Madras.



WEB COPY

Crl.O.P.No.10747 of 2



**SUNDER MOHAN, J.**

ata

**Crl.O.P.No.10747 of 2025**

**09.04.2025**