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Crl.O.P.No.11048 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11048 of 2025

Praveen

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
N2 Kasimedu Police Station
Chennai.

(Crime No.153 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.153 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.Ezhilbalaji

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 25.03.2025, seeking bail in Crime No.153 of 2023 registered for the offence under Sections 147, 148, 341, 294(b), 307 & 506(2) of IPC.



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2. The case of the prosecution is that due to previous enmity, petitioner along with other accused trespassed into the house of the defacto complainant and attacked with hands, as a result of which, defacto complainant sustained injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner was earlier granted bail by the lower Court in Crl.M.P.No.13288 of 2023 dated 04.06.2023; that subsequently due to non-compliance of the bail condition, bail was cancelled in Crl.M.P.No.5964 of 2023 dated 16.11.2024; that the petitioner is in custody from 25.03.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that, investigation in this case has been completed and charge sheet has been filed.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused



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the materials available on record.

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6. Considering the fact that the petitioner was earlier granted bail; period of incarceration; the fact that investigation has been completed and charge sheet has been filed and that since further custody is not required, 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 their 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 **XVI 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 trial Court on all working day at 10.30 a.m., until further orders;



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[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.

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To

1. XI Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police,
N2 Kasimedu 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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