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Crl.O.P.No.11086 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11086 of 2025

Boopalan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
N-4 Fishing Harbor Police Station,
Chennai.
(Crime No.122 of 2025).

... Respondent

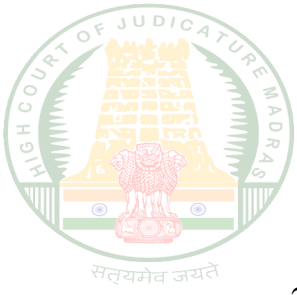
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.122 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Vinith

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 29.03.2025, seeking bail in Crime No.122 of 2025 registered for the offence under Sections 296(b), 118, 109 and 351(3) of BNS.



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2. The case of the prosecution is that the petitioner and the defacto complainant are lorry drivers; that there is a dispute between them with regard to parking the vehicle, due to which, petitioner attacked the defacto complainant with iron rod, as a result of which, he sustained injuries. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is in custody from 29.03.2025 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 the petitioner has no previous cases. He further submitted that, injured victim has been discharged from the hospital.

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



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6. Considering, the nature of allegation; the fact that the injured has been discharged from the hospital; period of incarceration; the fact that the petitioner has no bad antecedents and since further custody 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 is 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, Goerge 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;



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[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.

16.04.2025

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To

1. XVI Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police,
N-4 Fishing Harbor Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal -II.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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