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Crl. O.P. No.12036 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

Crl.O.P.No.12036 of 2025

Moorthy S/o. Santhiyappan

... Petitioner / Accused

Vs.

**The State represented by:**

The Inspector of Police,  
D3 Ice House Police Station,  
Chennai.

(Crime No.170 of 2025).

... Respondent

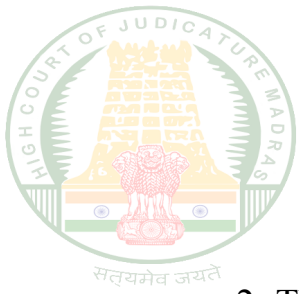
**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.170 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. K. Sujan Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioner/accused, who was arrested and remanded to judicial custody on 06.04.2025, seeking bail in Crime No.127 of 2025 registered for the offences under Sections 296(b), 308(4) and 351(3) of B.N.S.



Crl. O.P. No.12036 of 2025

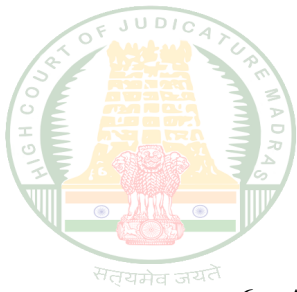
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2. The case of the prosecution is that the petitioner demanded money from the defacto complainant; that further when the defacto complainant asked to pay money for the food consumed by the petitioner for Rs.250/-, he refused to pay and also threatened him of dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 06.04.2025; and that 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) appearing for the respondent police, reiterated the prosecution case and confirmed the said facts.

5. Considering the nature of allegations against the petitioner, period of incarceration 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.



Crl. O.P. No.12036 of 2025

WEB COPY

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** 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]***;



Crl. O.P. No.12036 of 2025

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

**22.04.2025**

*mjs*

To

1. The II Metropolitan Magistrate, Egmore, Chennai .
2. The Inspector of Police,  
D3 Ice House Police Station,  
Chennai.
3. The Superintendent,  
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.



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Crl. O.P. No.12036 of 2025

**SUNDER MOHAN., J.**  
*mjs*

**Crl.O.P.No.12036 of 2025**

22.04.2025