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Crl.OP.No.13005 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.13005 of 2025

Ajay @ Botti

... Petitioner(s) /Accused

Vs.

State represented by
Inspector of Police,
D-3 Ice House Police Station,
Chennai District.
Crime No.182 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail in Crime No.182 of 2025 pending on the
file of the respondent.

For petitioner(s) : Mr.V.S.Dinesh

For Respondent(s) : 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 16.04.2025, seeking bail in Crime No.182 of 2025 registered for the offences under Sections 296(b), 115(2), 309(4), 311 and 351(3) of BNS Act (Sections 294(b), 323, 392, 397, 506(ii) of IPC).

2. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant with hands, abused him in filthy language and robbed a sum of Rs.1,000/- and. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; and that in any case, further custody of the petitioner is not required for the purpose of investigation and sought for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the defacto complainant has been treated as an outpatient; and that there are



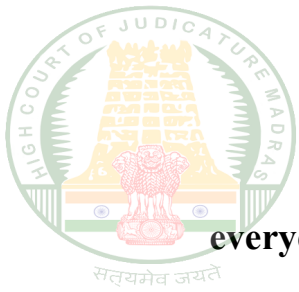
four previous cases against the petitioner registered under the IPC and he is on bail in those cases.

5. Considering the nature of allegations, the fact that the defacto complainant has been treated as an outpatient; the fact that the petitioner is on bail in other 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 **learned II Metropolitan Magistrate Court, Egmore**, 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,



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everyday at 10.30 a.m., until further orders;

WEB COPY [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.

25.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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- To
1. Inspector of Police,
D-3 Ice House Police Station,
Chennai District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. II Metropolitan Magistrate Court, Egmore,
 4. The Superintendent of Prison,
Central Prison-II, Puzhal, Chennai.



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SUNDER MOHAN, J.

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