



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.13038 of 2025

Venkatraj

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
D4 Zam Bazaar Police Station,
Chennai.

(Crime No.95 of 2025)

... Respondent

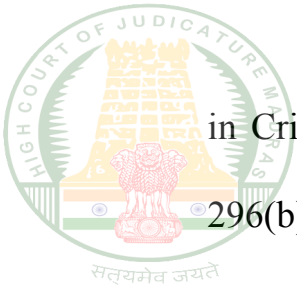
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.95 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.D.Baskar

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 08.04.2025, seeking bail



in Crime No.95 of 2025 registered for the offence under Sections 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023.

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2.It is the case of the prosecution that the defacto complainant was working as Manager in VMS Mansion and the petitioner is the tenant in the third floor portion of the said mansion; that the defacto complainant received a complaint that the petitioner had thrown waste on the neighbouring house; that when the defacto complainant and others questioned the same, the petitioner had abused them in filthy language, assaulted them with wooden chair and caused injuries to them. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the injured has been discharged from the hospital; and that the petitioner is in custody from 08.04.2025 and hence, further custody of the petitioner is not required and sought for bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that the injured has been discharged



from the hospital; that the petitioner is a B category history sheeter and that there were two previous cases against him, out of which, one case has ended in acquittal and another case has ended in conviction.

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

6.Considering the nature of allegations, period of incarceration, the fact that the injured has been discharged from hospital, the petitioner is on bail in the previous 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.

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 **Metropolitan Magistrate Court – II, 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 stay at Vellore District and report before the Inspector of Police, Vellore North Police Station, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

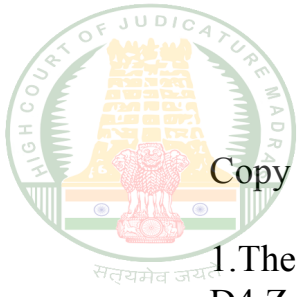
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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.

28.04.2025

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Copy to:

1.The Inspector of Police,
D4 Zam Bazaar Police Station,
Chennai.

2.The Metropolitan Magistrate Court – II, Egmore, Chennai.

3.The Superintendent of Prison, Central Prison, Puzhal.

4.The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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