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Crl.O.P.No.14126 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14126 of 2025

Sarath Kumar

... Petitioner/Accused

Vs.

State Rep by,
The Inspector of Police,
H-4, Korukkupet Police Station,
Chennai.
(Crime No.186 of 2025)

... Respondent

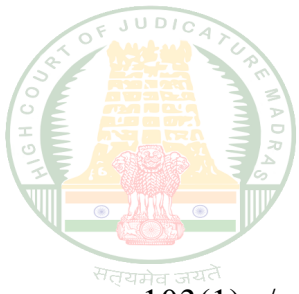
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.186 of 2025 on the file of the respondent police.

For Petitioner : Mr.V.Sriram

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
07.03.2025, for the offences punishable under Sections 103(1), 238 of BNS @



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103(1) r/w 303(2) and 238(a) of BNS in Crime No.186 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner alleged to have committed murder of his friend. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner and the deceased are friends and they were closely moving together. Since the deceased was found dead in a suspicious manner, the petitioner was questioned and thereafter arrayed as an accused in this case and some recoveries shown on the petitioner's confession and the case was projected as though it is a murder for gain. There is no direct evidence and only on the suspicion, the petitioner was arrayed as accused. He further submitted that now investigation completed, charge sheet filed, which is pending in PRC No.57 of 2025 before XV Metropolitan Magistrate, George Town, Chennai. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner submitted that the petitioner was into the on-line gambling and he got a debt of Rs.5 lakhs. His wife is also needs some medical treatment. Hence, the petitioner had murdered the deceased, who is the friend of him, and removed the gold chain of 1.5 sovereigns. Thereafter he disposed the deceased in a gunny bag near BPCL pipe line. The petitioner was enquired and arrested and on his confession gold chain was recovered and produced before the Lower Court on 03.06.2025. Now investigation completed, charge sheet filed listing 45 witnesses in PRC No.57 of 2025 and the case was posted on 09.06.2025.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the offence and the period of incarceration undergone by the petitioner and finding that the investigation in this case is completed which is pending in PRC No.57 of 2025 before XV Metropolitan Magistrate, George Town, Chennai, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XV Metropolitan Magistrate, George Town, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the committal Court and the Sessions Court regularly on all hearing dates without fail.

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, she shall comply to the directions as may be given by the Court in this



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regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

09.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

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To

1.The XV Metropolitan Magistrate,
George Town, Chennai

2.The Inspector of Police,
H-4, Korukkupet Police Station,
Chennai.

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

4.The Public Prosecutor,
High Court of Madras.

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