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Crl.O.P.No.14790 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2025

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.14790 of 2025

Abilash @ Abi

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
M-5 Ennore Police Station,
Chennai.
(Crime No.254 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in Crime No.254 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.Udayakumar

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.254 of 2025 registered for the alleged offences punishable under Sections 296(b), 117(2), 109 & 351(3) of BNS, is on board for consideration.



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2. The case of the prosecution is that due to previous enmity, on the date of alleged occurrence, the petitioner along with other accused abused the defacto complainant in filthy language and also assaulted him with a knife, causing injuries to the defacto complainant. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to previous enmity, a false complaint has been given against him. He also submitted that the petitioner is in no way connected with the alleged offence and he is suffering incarceration from 14.04.2025. 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.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 14.04.2025; that the injured has been discharged from the hospital.

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



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6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the injured has been discharged from the hospital and the period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Tiruvottiyur, Tiruvallur**, 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., for a period of one month and thereafter, as and when required for further interrogation;

[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



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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 of B.N.S.

09.05.2025

drl

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.

To

1. The Judicial Magistrate,
Tiruvottiyur.
2. The Inspector of Police,
M-5 Ennore Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal – II, Chennai.
4. The Public Prosecutor,
High Court of Madras.

L.VICTORIA GOWRI, J.

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