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Crl.O.P.No.14888 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14888 of 2025

Venkatesan @ Konavai Venkatesan

... Petitioner

-VS-

State Rep. by,
The Inspector of Police,
H-4, Korukkupet Police Station,
Chennai.
(Crime No.252 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in
Crime No.252 of 2025, on the file of H-4, Korukkupet Police Station, Chennai.

For Petitioner : Mr.R.Yash Rathi

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



Crl.O.P.No.14888 of 2025

WEB COPY

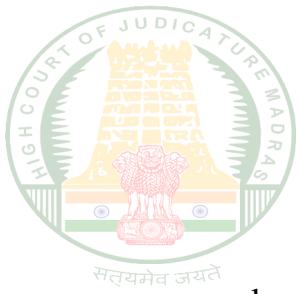
ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.04.2025 for the offences punishable under Section 310(4) of BNS, 2023 in Crime No.252 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A1 who was arrested by the respondent police on 17.04.2025 and the respondent police saw the petitioner and the co-accused preparing for housebreaking and theft; they attempted to flee but only the petitioner was caught, leading to the case registration. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. In this case, the respondent police recorded that A2 and A3 absconded, the petitioner alone has been got the knife which is available in the market and has been projected as soon it was recovered from the petitioner and for recovery there is no independent witness. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submitted that in this case the petitioner having criminal record along with A2 and A3 planning to commit dacoity and on seeing the



Crl.O.P.No.14888 of 2025

respondent police they fled from the scene of occurrence and A1 was arrested and the knife was recovered. He further submitted that there is 12 previous cases pending against the petitioner. Hence, he opposed for granting bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered 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 15th 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 respondent Police, everyday at 10.30 a.m., for a period of



CrI.O.P.No.14888 of 2025

WEB COPY

two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall make herself 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, he shall comply to the directions as may be given by the Court in this 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.

14.05.2025

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CrI.O.P.No.14888 of 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.”

To

- 1.The learned 15th 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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Crl.O.P.No.14888 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.14888 of 2025

14.05.2025