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Crl.O.P. No.15270 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.15270 of 2025

Seenu @ Srinivasan

... Petitioner/ Accused No.2

Vs.

The State Rep. By,
The Inspector of Police,
Pennalur pet Police Station,
Thiruvallur District.
(Crime No.90 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 connection with Crime No.90 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. V. Manimaran

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



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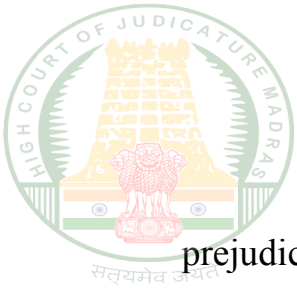
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ORDER

Petition seeking bail in respect of Crime No.90 of 2025 registered for the alleged offences punishable under Sections 191(2), 191(3), 126, 296(b), 115(2), 118(1), 351(3) of BNS r/w. Section 5 of TNPPDL Act, is on board for consideration.

2. The case of the prosecution is that the defacto complainant, who is the owner of a bus, lodged a complaint against the accused persons by stating that A1, who worked under the defacto complainant as a driver in his bus, in an inebriated condition colluded with other accused and waylaid the defacto complainant's bus; that thereby damaged the mirror of the bus and further abused and assaulted the defacto complainant using wooden log. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 24.04.2025. He further submitted that the petitioner to show his bonafide, without

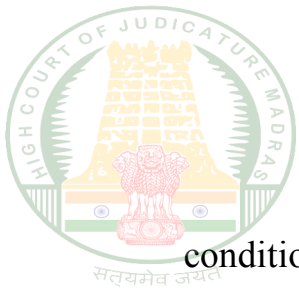


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prejudice to his contention is ready to deposit a sum of Rs.25,000/- to the credit of crime number before the Court concerned and therefore, prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that there are totally 6 accused in this case and the petitioner herein arrayed as A2, who along with other accused abused and assaulted the defacto complainant and further caused damage to the mirror of the defacto complainant's bus. He also submitted that the investigation is pending and opposed the bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioner and the voluntary submission made by the learned counsel appearing for the petitioner in respect of depositing a sum of Rs.25,000/- to the credit of crime number, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following



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conditions:

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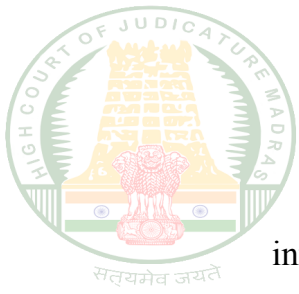
(1) The petitioner shall deposit a sum of **Rs.25,000/-** (Rupees Twenty Five Thousand only to the credit of Crime No.90 of 2025 before the learned Magistrate concerned and on such deposit, the learned Magistrate concerned shall re-deposit the same to any of the Nationalized bank under interest bearing scheme and disburse the same, at the time of completion of the trial or if any settlement arrived between the parties;

(2) The petitioner shall execute a bond for **Rs.10,000/-** (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate at Uthukkottai along with the proof of deposit of **Rs.25,000/-** to the credit of Crime No.90 of 2025.

(3) The petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks, except on the hearing dates before the Trial Court and thereafter, as and when required for interrogation;

(4) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(5) The petitioner shall make himself available for



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interrogation by a Police Officer as and when required;

(6) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(7) 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;

(8) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

(9) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

15.05.2025

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Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.



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M. NIRMAL KUMAR, J.

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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 official website of this Court will be watermarked and will also have a QR code.

To

1. The District Munsif Cum Judicial Magistrate,
Uthukkottai.
2. The Inspector of Police,
Pennalur pet Police Station,
Thiruvallur District.
(Crime No.90 of 2025)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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