



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

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THE HON'BLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

Crl.O.P.No.16291 of 2025

Gurunathan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Oragadam Police Station,
Kancheepuram District.
(Crime No.69 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.69 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Thirugnanam

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 27.02.2025, seeking bail in Crime No.69 of 2025 registered for the offence under Sections 310(2) & 311 of BNS, 2023.

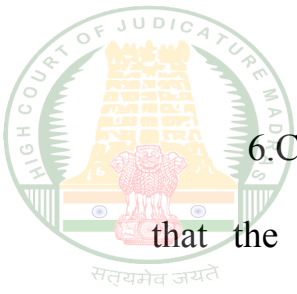


2.It is the case of the prosecution that the petitioner and other accused persons illegally restraint the defacto complainant and robbed a sum of Rs.7,000/- and transferred a sum of Rs.10,000/- through Gpay. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that co-accused were granted bail in Crl.M.P. No.787 of 2025 dated 23.04.2025; Crl.M.P. No.664 of 2025 dated 17.04.2025 and Crl.M.P. No.728 of 2025 dated 17.04.2025. He would further submit that the petitioner is in custody from 27.02.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and confirmed the fact that co-accused were granted bail by the Trial Court in Crl.M.P. No.787 of 2025 dated 23.04.2025; Crl.M.P. No.664 of 2025 dated 17.04.2025 and Crl.M.P. No.728 of 2025 dated 17.04.2025.

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



6.Considering the nature of allegations, the period incarceration and the fact that the co-accused were granted bail in Crl.M.P. No.787 of 2025 dated 23.04.2025; Crl.M.P. No.664 of 2025 dated 17.04.2025 and Crl.M.P. No.728 of 2025 dated 17.04.2025 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Sriperumbudur** 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 2 months and thereafter as and when required for 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;

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[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.

28.05.2025

rkp/ata

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.

Copy to:

- 1.The Inspector of Police,
Oragadam Police Station,
Kancheepuram District.
- 2.The Judicial Magistrate, Sriperumbudur.
- 3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI.J.,

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