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CrI.O.P.No.16625 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16625 of 2025

1.Kamesh
2.Karthik
3.Ganesh
4.Venkatesan

... Petitioners

Vs.

State rep. by its
The Inspector of Police,
M-4, Redhills Police Station,
Chennai.
Crime No.381 of 2025.

... Respondent

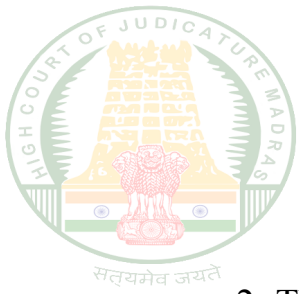
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime
No.381 of 2025 pending on the file of the Respondent police.

For Petitioner : Mr.S.Senthilvel

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on
21.05.2025, for the offence punishable under Sections 310(4) of BNS Act, in
connection with Crime No.381 of 2025, registered on the file of the respondent,
seeks bail.



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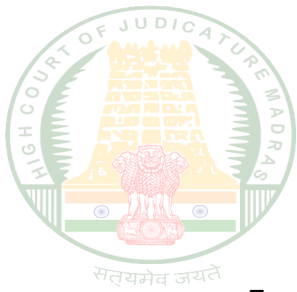
2. The case of the prosecution is that the petitioner along with others were found in unlawful assembly and preparing for committing dacoity. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are innocent persons. He also submitted that the petitioners are in no way connected with the alleged offence. He further submitted that the petitioners is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and opposed for grant of bail to the petitioners. He further submitted that the petitioners A1, A2, are having two previous cases pending against them and A3 & A4 are having no previous case pending against them.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and also considering the period of incarceration of the petitioners and the petitioners themselves are ready to abide by any condition, 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 **Judicial Magistrate-II, Ponneri**, 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 daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for further interrogation;

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

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

[e] the petitioners 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 petitioners 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.

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To

1.The Judicial Magistrate No.II
Ponneri

2.The Superintendent
Central Prison, Puzhal
Chennai

3.The Inspector of Police,
M-4, Redhills Police Station,
Chennai.

4.The Public Prosecutor,
High Court of Madras
Chennai 600 104.



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M.NIRMAL KUMAR.,J.
gv

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