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CRL OP No. 18258 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18258 of 2025

Vijay @ Sivaji

Petitioner

Vs

The State rep by
The Inspector of Police
S-7, Madipakkam Police Station.
Chennai.
Crime No.578 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.578 of 2025 on the file of the respondent police.

For Petitioner: Mr.P.Thompson

For Respondent: Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 17.05.2025, for the offences punishable under Sections 115(2), 126(2), 296(b), 309(4), 311, 125, 351(3) of BNS Act 2023, in connection with Crime No.578 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused wrongfully restrained the defacto complainant and demanded money. Since he refused the same, the accused have abused him with filthy language, beaten and snatched a sum of Rs.1,500/- from his pocket at knife point and also threatened him. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and he prays for grant of bail to the petitioner.



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4. The 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 is a notorious accused, involved in eight other previous including 302 IPC cases.

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

6. Considering the submissions made on either side 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 **II Judicial Magistrate Court, Alandur, 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



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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 three weeks except when he required to appear before the trial Court for hearing in connection with other cases and thereafter as and when required for further interrogation;

[c] the petitioner shall make himself 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.

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25-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
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- 1.The State rep by The Inspector of Police
S-7, Madipakkam Police Station.
Chennai. Crime No.578 of 2025.
- 2.The No.II Judicial Magistrate Court,
Alandur, Chennai.
- 3.The Superintendent
Central Prison Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras, Madras.



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M.NIRMAL KUMAR J.

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