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CrI.O.P.No.22165 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.22165 of 2025

Kamesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Redhills Police Station,
Thiruvallur District.
(Crime No.467 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.467 of 2025 on the file of the respondent Police.

For Petitioner : Mr.V.Vijayakumar

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
29.06.2025 for the offences punishable under Section 310(4) of BNS, in Crime
No.467 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused unlawfully assembled and were making preparations for committing dacoity. Hence the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case, since he has got previous cases. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner stating that 4 previous cases are pending against 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 taking note of 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 **Judicial Magistrate**



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No.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;

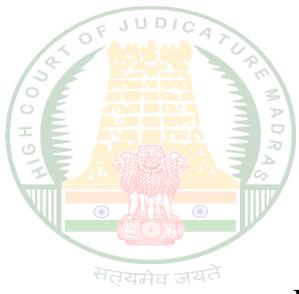
[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of thirty days and thereafter, as and when required for interrogation;

[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



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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.

08.08.2025

drl

To

1. The Judicial Magistrate No.II,
Ponneri.
2. The Inspector of Police,
Redhills Police Station,
Thiruvallur District.
3. The Superintendent, Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

drl

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