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Crl.O.P.No.23886 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23886 of 2025

Ajai @ Botti Ajai

... Petitioner

Vs.

The State Rep. by:
The Inspector of Police,
Ice House Police Station,
Chennai District.
(Crime No.01 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in S.C. No.560 of 2023 on the file of the learned IVth Additional Sessions Judge, Chennai.

For Petitioner : Mr.R.Rajprabhu

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.04.2025, for the offence punishable under Sections 147, 148, 341, 294(b), 326, 307 r/w 149 of I.P.C, in Crime No.01 of 2023, registered on the file of the respondent, seeks bail.



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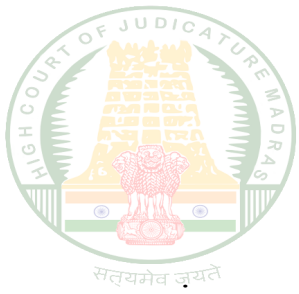
2. The petitioner, who is an accused in S.C.No.560 of 2023, failed to attend the Court during the trial. Hence, a Non-Bailable Warrant was issued against him on 16.04.2025, and he was secured on 26.06.2025.

3. The learned counsel appearing for the petitioner submits that on 16.04.2025, the petitioner was taken into custody by the Police in Crime No.182 of 2025 and was remanded on the same day. He further submitted that on all previous hearings, the petitioner had been regularly attending the Court.

4. The learned Government Advocate (Crl. Side) opposed the grant of bail to the petitioner on the ground that, if released on bail, he may again abscond. He further submitted that the trial is yet to commence since one more accused is still absconding and has to be secured.

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

6. This Court has considered the fact that an F.I.R. in Crime No.182 of 2025 came to be registered on 16.04.2025 at 06.00 hours for offences under Sections 296(b), 115(2), 309(4), 311, and 351(3) of BNS, 2023, as against this petitioner. Hence, the reasons stated by the learned counsel for the petitioner for his non-appearance on 16.04.2025 appear to be genuine.



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7. Considering the fact that, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on their executing a separate 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 **IVth Additional Sessions Judge, 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 of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall appear before the Trial Court daily at 10.30 a.m., on all hearing dates;**

[c] 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 petitioners 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]**;



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[d] If the accused thereafter absconds, a fresh
FIR can be registered under Section 269 of B.N.S.

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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

- 1.The IVth Additional Sessions Judge, Chennai.
- 2.The Inspector of Police,
Ice House Police Station,
Chennai District.
- 3.The Superintendent, Central Prison II, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.,



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