



WEB COPY



Crl.O.P.No.28786 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28786 of 2025

Servin

... Petitioner/A2

Vs.

The State represented by
The Inspector of Police,
Somangalam Police Station,
Kancheepurak District.
(Crime No.189 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.189 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.M.Udayavani

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 25.08.2025, for the offence punishable under Sections 310, 311 of BNS
(391, 397 of IPC), in Crime No.189 of 2025, registered on the file of the
respondent, seeks bail.



Crl.O.P.No.28786 of 2025

WEB COPY

2. The allegation against the petitioner is that the petitioner joining hands with other accuse and under the pretext of selling the two wheeler had taken the defacto complainant to secluded places and had snatched his gold chain and transferred a sum of Rs.15,000/- to G-pay. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that petitioner's earlier bail petition was dismissed by this Court in Crl.O.P.No.23988 of 2025 and co-accused were granted bail by this Court and hence, he strongly opposed the grant of bail to the petitioner.

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

6. Considering the nature of offence committed by the petitioner and taking into account the period of incarceration and also considering the fact that co-accused were granted bail, this Court is inclined to grant bail to



Crl.O.P.No.28786 of 2025

WEB COPY

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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Sriperumbudur** 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 four weeks and thereafter as and 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;



WEB COPY



CrI.O.P.No.28786 of 2025

[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.

23.10.2025

sma

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.



CrI.O.P.No.28786 of 2025

WEB COPY

To

1. Judicial Magistrate Court at Sriperumbudur.
2. The Inspector of Police,
Somangalam Police Station,
Kancheepurak District.
3. The Chennai Central Prison, Puzhal -II
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.28786 of 2025

K.RAJASEKAR, J.

sma

Crl.O.P.No.28786 of 2025

23.10.2025