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Crl.OP.No.29592 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29592 of 2025

Mukesh @ Bhuneshwaran

... Petitioner

Vs.

State rep by
Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
(Cr.No.19 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending trial in S.C.No.437 of 2024 in Cr.No.19 of 2023 on the file of the XVII Additional Sessions Judge, Chennai.

For Petitioner : Mr.B.J.Santhosh Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.07.2025 for the alleged offence under Sections 147, 148, 294(b), 326, 307, 506(ii) r/w 149 of IPC pending trial in S.C.No.437 of 2024 on the file



of the XVII Additional Sessions Judge, Chennai. in connection with Crime No.19 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner was earlier arrested and released on bail and appeared before the trial Court in S.C.No.47 of 2024 on the file of the XVII Additional Sessions Judge, Chennai. Further, the non bailable warrant was issued against the petitioner on 11.07.2025 and he has surrendered on 15.09.2025. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is having previous cases, on the date of hearing i.e., on 11.07.2025, he was arrested in connection with another case, hence, he was not able to appear and immediately after release of bail in another case, surrendered before the trial Court on 15.09.2025 and he is in remand. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that totally there are five accused involved in this case and the petitioner is ranked as A4. The petitioner is in custody from 15.09.2025. Non bailable warrant was issued on 11.07.2025 and apart from the present case, the petitioner is also having 13 previous cases including two cases under



Section 302 of IPC.

5. I have heard both sides and perused the materials available on records. The records reveals that non bailable warrant was issued against the petitioner on 11.07.2025, the petitioner surrendered before the concerned court on 15.09.2025, filed a re-call petition, the same was dismissed and the petitioner was remanded to judicial custody. Considering the above facts, I am inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the 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 XVII Additional Sessions Judge, Chennai on all working days at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation;**



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[c] 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]**;

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

30.10.2025

Vv

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.



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To

1. The XVII Additional Sessions Judge, Chennai.
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
3. The Central Prison,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

Vv

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