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Crl.OP.No29788 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29788 of 2025

Santhosh @ Jubilee

... Petitioner

Vs.

State rep by
The Inspector of Police
H-4, Korukkupet Police Station,
Washermenpet, Chennai.
(Cr.No.546 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.546 of 2025 on the file of the Inspector of Police, H-4, Korukkupet Police Station, Washermenpet, Chennai.

For Petitioner : Mr.U.Kathiravan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.10.2025, for the alleged offence punishable under Section 310(4) of BNS in Cr.No.546 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that when the respondent police were engaged in regular night patrol duty, they found that the petitioner along with other accused having possession of deadly weapons, planned to commit dacoity. 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. He further submitted that the petitioner has no bad antecedents and he is in judicial custody from 17.10.2025 and ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that totally there are 11 accused involved in this case, the petitioner is arrayed as A2 and he is having 12 previous cases of similar nature. However, he opposed for grant of bail to the petitioner.

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



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6. Considering the period of incarceration undergone by the petitioner and the allegations against him he is involved in preparation committing dacoity and based on the confession statement of the co-accused, this petitioner has been implicated in this case, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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 learned **XV Metropolitan Magistrate, George Town, 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 report before the XV Metropolitan Magistrate Court, George Town, Chennai on all working days at 10.30 a.m for a period of three weeks 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 Magistrate/Trial Court himself as laid down



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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.

03.11.2025

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.

To

1. The **XV Metropolitan Magistrate, George Town, Chennai**
2. The Inspector of Police
H-4, Korukkupet Police Station,
Washermenpet, Chennai.
3. The Central Prison, Puzhal
4. The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

Vv

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