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Crl.O.P.No.3281



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32813 of 2025

Kittupoonai @ Sivakumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai District.
(Crime No.731 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.731 of 2025 pending investigation on the file of the respondent police.

For Petitioner : M/s.Vindhiya

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.10.2025, for the alleged offence punishable under Sections 296(b), 115(2), 125, 311, 351(3) of BNS, in Crime No.731 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner joined hands with other accused involved in robbery of Rs. 600/- at knife point, hence a complaint was lodged and the petitioner was arrested.

3.Learned counsel appearing for the petitioner submitted that the petitioner had some bad antecedents and he was granted bail in the earlier case. He regularly appeared before the respondent police. For two days, he did not appear before the police and was immediately taken into custody and implicated in this case. The petitioner is having ill health and he is in custody from 30.10.2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is ranked as A2 in this case, totally, there are two accused and the petitioner is also having six previous cases, including cases of murder. Hence, he opposed for grant of bail to the petitioner.



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5. Heard both sides and perused the materials available on record including the First Information Report.

6.I have also gone through the records and other connected materials, it reveals that the petitioner joined hands with the other accused involved in robbery of Rs. 600. Further, the petitioner is in custody from 30.10.2025. Though the petitioner is alleged to have been involved in previous cases, I am 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, each for a like sum to the satisfaction of the *learned Judicial Magistrate-II, Poonamallee*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Trichy and report before the learned Judicial Magistrate-II, daily at 10.30 a.m., for



a period of four weeks;

[c] the petitioner shall not abscond either during

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[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 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 Judicial Magistrate-II, Poonamallee.
- 2.The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai District.
- 3.The Superintendent of Police,
Central Prison, Puzhal-II, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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