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Crl.O.P.No.33290



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.12.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33290 of 2025

V.Ganesh Kumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
S-4 Nandambakkam Police Station,
Nandambakkam,
Chennai – 600 133.
(Crime No.217 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.217 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Mohan Raj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



02.11.2025 for the alleged offence punishable under Sections 308(2), 310(2) and 351(3) of BNS of 2023 and Section 66 of Information of Technology Act, 2000, in Crime No.217 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, he took the defacto complainant to a secluded place under the guise of engaging in friendly activities, and, taking advantage of the loneliness, allegedly threatened him at knife point and forced him to transfer a sum of Rs.24,000/- from his G-Pay account to the petitioner's account. Hence, a complaint was lodged and the petitioner was arrested.

3. The learned counsel appearing for petitioner submitted that the petitioner is in judicial custody since 02.11.2025. He further submitted that the petitioner is not having any bad antecedents and that he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally 5 accused in this case, the petitioner is ranked as A5. He further submitted that the money was recovered and that the petitioner has no previous case against him. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on either



side, the fact that the money was recovered, the petitioner has no previous case and also considering the period of his incarceration, this Court is inclined to grant bail to 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.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.1, Alandur*, 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 report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial;

[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



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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.

04.12.2025*drl***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 No.I, Alandur.
- 2.The Inspector of Police,
S-4 Nandambakkam Police Station,



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Nandambakkam, Chennai – 600 133.

3.The Superintendent,
Central Prison Jail, Chennai.

3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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