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Crl.O.P.No.33842 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33842 of 2025

E. Suresh @ Seenu

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Chennai.
(Crime No.107 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.107 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. R. Gururaj

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.09.2025 for the alleged offence punishable under Sections 126(2), 296(b), 309(6), 311, 125(b), 324(2) and 351(3) of BNS in Crime No.107 of 2025 on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 28.10.2025 in Crl.O.P.No.29211 of 2025.

2. The learned counsel appearing for the petitioner submitted that the petitioner was earlier granted bail by the Sessions Court, vide order dated 14.05.2025 in Crl.M.P.No.4175 of 2025; that since the petitioner had not complied with the bail conditions due to his ill health, the bail granted to the petitioner was cancelled by the Sessions Court, vide order dated 23.07.2025 in Crl.M.P.No.5435 of 2025 and subsequently, the petitioner was arrested on 20.09.2025. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioner.

3. The learned Government Advocate (Crl. Side) appearing for



respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the petitioner has nine previous cases and the investigation of this case is pending.

4. I have considered the submissions made on both sides and perused the materials available on record. Though it is stated that the petitioner has nine previous cases, the present case is registered in the month of April 2025 and the investigation of this case is not yet concluded and also the fact that the petitioner was earlier granted bail in this case, which was subsequently cancelled only on the ground of violation of bail conditions.

5. Considering the above facts, the nature of allegation levelled against the petitioner herein and the fact that the investigation was not yet concluded, the petitioner is in custody for a substantial period, this Court is 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 each**, for a like sum to the satisfaction of the



learned XXIII Metropolitan Magistrate Court at Saidapet, Chennai

and on further conditions that:

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[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 learned XXIII Metropolitan Magistrate at Saidapet, Chennai daily at 10:30 a.m., until further orders;

[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.



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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 XXIII Metropolitan Magistrate Court at Saidapet, Chennai.
2. The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Chennai.
(Crime No.107 of 2025)
3. The Superintendent,
Central Prison, Puzhal, Chennai.

K. RAJASEKAR, J.

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4. The Public Prosecutor,
High Court of Madras.



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