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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR
CRL OP NO.33666 of 2025

Vivek K

Petitioner

Vs

The State Represented by
The Inspector of Police,
M-5, Ennore Police Station
Crime No. 772 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.772 of 2025 on the file of the respondent police.

For Petitioner: Mr.A.Jayamohan

For Respondent: Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.11.2025 for the alleged offence punishable under Sections 126(2), 296(b), 115(2), 118(2), 309(4), 311 and 351(3) of BNS, in Crime No.772 of 2025, seeks bail.



2. The allegation against the petitioner is that the petitioner joining hands with other accused waylaid the de-facto complaint and robbed a sum of Rs.2,000/- and a mobile phone at knife point. Hence, the complaint was lodged and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody since 08.11.2025 and he has no bad antecedents. He further submits that the co-accused was granted bail in Crl.O.P.No. 33388 of 2025 dated 05.12.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there are totally three accused had involved in this case and the petitioner is ranked as A3. He further submitted that the properties have been recovered from the accused and the investigation is completed. He further submits that the petitioner has no previous case. 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. Considering the fact that the period of incarceration of the petitioner; that the co-accused was already arrested and released on bail in CrI.O.P.No.33388 of 2025 dated 05.12.2025; that the petitioner has no previous case, that the properties have been recovered, this Court is inclined to grant bail to the petitioner on 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 XVI Metropolitan Magistrate, George Town at Chennai**, 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 three 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 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.

09.12.2025

msm



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 XVI Metropolitan Magistrate, George Town at Chennai.

2. The Superintendent,
Central Prison, Puzhal, Chennai

3. The Public Prosecutor,
High Court, Madras.

4. The Inspector of Police,
M-5, Ennore Police Station
Crime No. 772 of 2025.



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K.RAJASEKAR, J.,

MSM

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