



WEB COPY

Crl.O.P.No.33803 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33803 of 2025

Prem Kumar

... Petitioner/ Accused

Vs

The State rep. by,  
The Inspector of Police,  
Thiruvottiyur Police Station,  
Chennai.  
(Crime No.1190 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.1190 of 2025 on the file of the respondent police.

**For Petitioner(s)** : Mr. S. Hemanth

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

\*\*\*\*\*



## **ORDER**

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 21.11.2025 for the offences punishable under Sections 126(2), 296(b), 115(2), 311 and 351(3) of BNS in Crime No.1190 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, the petitioner joined hands with other accused abused the defacto complainant with filthy language, committed a theft of Rs.400 at knife point and also threatened the defacto complainant of dire consequences. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 21.11.2025; that the petitioner was earlier arrested in connection with another case and subsequently, this false case has been foisted against the petitioner; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the



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

5. I have considered the submissions made on both sides and perused the materials available on record, including the FIR, which shows no one is injured in this case. Though it is reported that the petitioner has four previous cases, all the cases are hurt cases.

6. Considering the above fact, nature of allegation and taking note of the period of incarceration undergone by the petitioner, 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 each**, for a like sum to the satisfaction of the **learned Metropolitan Magistrate, 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;



WEB COPY

[b] the petitioner shall report before the learned Metropolitan Magistrate, Chennai daily at 10:30 a.m., for a period of three weeks and thereafter as and when required for interrogation by the respondent police;

[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.

10.12.2025

stn

**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.

WEB COPY

Crl.O.P.No.33803 of 202



To

1. The Metropolitan Magistrate,  
Chennai.
2. The Inspector of Police,  
Thiruvottiyur Police Station,  
Chennai.  
(Crime No.1190 of 2025)
3. The Superintendent,  
Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.

**K. RAJASEKAR, J.**

stn



WEB COPY

*Crl.O.P.No.33803 of 202*



**Crl.O.P. No.33803 of 2025**

**10.12.2025**