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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.33912 of 2025

Akash @ Akash Ebenezer

Petitioner

Vs

The State Represented by
The Inspector of Police,
D-3 Ice House Police Station,
Chennai.
Crime No.329 of 2018.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in S.C.No.20 of 2023 on the file of learned XVII Additional Sessions Court, Chennai, in Crime No.329 of 2018 on the file of the respondent police.

For Petitioner:

Mr.Rajkumar Pandian

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)



ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.08.2025 for the alleged offence punishable under Sections 147, 148, 341, 302 r/w 120(B) and 34 of IPC, in Crime No.329 of 2018 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner was earlier arrested and released on bail. Subsequently, the petitioner did not appear before the concerned trial Court, and hence Non-Bailable Warrant (NBW) was issued against him on 06.08.2025 and the same was executed on 22.10.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner was not able to appear before the Trial Court since he was arrested in connection with another case. Hence, he was in prison and was not produced before the Trial Court on P.T. Warrant. Only after he was released on bail in another case, the NBW was executed and the petitioner is in custody from 06.08.2025. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally 21 accused in this case and the



petitioner is ranked as A8. He further submitted that due to various reasons, the trial has not been concluded and the petitioner was arrested recently and now the case is posted for framing of charges. He further submitted that the petitioner has four previous cases against him. Hence, he opposed to grant bail to the petitioner.

5. Considering the submissions made by the learned counsel on either side, the fact that the petitioner was earlier arrested and released on bail and subsequently appeared before the concerned Court on 22.10.2025, and though the petitioner is having previous cases taking into account the fact that the petitioner is in judicial custody since 06.08.2025, 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, for a like sum to the satisfaction of the *learned XVII Additional Sessions Judge, 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 concerned Court daily at 10.30 a.m., for a period of four 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];



WEB COPY [f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 B.N.S.

11.12.2025

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 XVII Additional Sessions Judge, Chennai.
2. The Inspector of Police, D-3 Ice House Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court, Madras.



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K.RAJASEKAR, J.,

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