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Crl.O.P.No.33797 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33797 of 2025

K. Varadharaj

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
S4 Nandambakkam Police Station,
Nandhambakkam, Chennai.
(Crime No.217 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.217 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. C. Sivanesan

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



ORDER

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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 joined hands with other accused 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 account of one of the accused. Hence, a complaint was lodged and the petitioner was arrested.

3. The learned counsel appearing for petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 02.11.2025. He further submitted that the petitioner is not having any bad antecedents; that the co-accused/ A5 was granted bail by this Court, vide order dated 04.12.2025 in Crl.O.P.No.33290 of 2025 and sought for bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for respondent would submitted that there are totally five accused involved in this case, the petitioner is ranked as A3. 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. Considering the submissions made, facts and circumstances of the case, the fact that the money was recovered, the petitioner has no previous case, the co-accused was already enlarged on bail by this Court in Crl.O.P.No. 33290 of 2025 and also considering the period of his incarceration, 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 Judicial Magistrate No.I, Alandur** 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;

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[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] 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.

To

1. The Judicial Magistrate No.I,
Alandur.
2. The Inspector of Police,
S4 Nandambakkam Police Station,
Nandambakkam, Chennai.
(Crime No.217 of 2025)
3. The Superintendent,
Central Prison Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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