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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34180 of 2025

Mohanasundaram. D

Petitioner

Vs

The State Represented by
The Inspector of Police,
M-3 Puzhal Police Station,
Chennai – 600 066.
Crime No.1005 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.1005 of 2025 on the file of the respondent police.

For Petitioner:

M/r.S.Varatharajan

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody



on 09.11.2025 for the alleged offence punishable under Sections 309(4), 311 of BNSS, Act 2023 in Crime No.1005 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner waylaid the defacto complainant and robbed a sum of Rs.1,500/- from him at knife point. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 09.11.2025. He further submitted that the petitioner has been falsely implicated, since he has got some previous cases. He further submitted that the petitioner was regularly appearing before the respondent police as per the order passed by the Principal District and Sessions Judge, Tiruvallur in Crl.MP.No.4339 of 2025 dated 22.10.2025. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having 9 previous cases pending against him. Hence, he opposes to grant bail to the petitioner.



5. Considering the submissions made by the learned counsel on either side and on perusal of the order passed by the Sessions Court, it is seen that the incident is alleged to have taken place as stated, the list of previous cases is disputed. A perusal of the list of previous cases reveals that the majority of the cases prior to the year 2010 and considering the period of 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 her 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 District cum Judicial Magistrate, Madhavaram*, 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

15.12.2025

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Note:

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To

1. The District cum Judicial Magistrate,
Madhavaram.
2. The Inspector of Police,
M-3 Puzhal Police Station,
Chennai – 600 066.
3. The Superintendent,
Central Jail, Puzhal.
4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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