



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35328 of 2025

1.Muthu @ Desamuthu

2.Jhonson @ Pachai

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.
(Crime No. 486 of 2025).

... Respondent

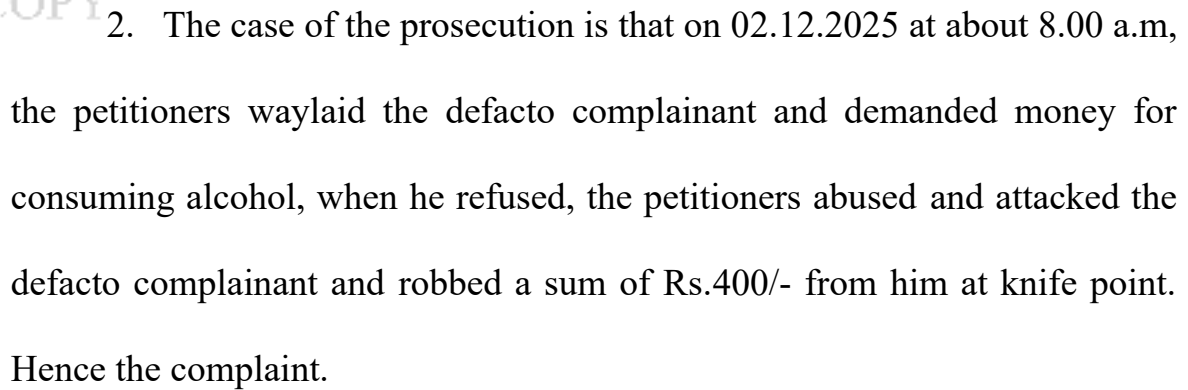
PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.486 of 2025 on the file of
the respondent police.

For Petitioners : Mr.G.Ezhilbalaji

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioners were arrested and remanded to judicial custody on
02.12.2025, for the alleged offence punishable under Sections 126(2), 296(b),
309(6), 311 and 351(3) of BNS 2023, in Crime No.486 of 2025, on the file of
the respondent police, seek bail.



3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case, since they have got some previous cases. They have not committed any offence as alleged in the FIR. He would further submits that the petitioners were arrested and are in judicial custody from 02.12.2025 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on the date of the alleged occurrence, these petitioners waylaid the defacto complainant and demanded money for consuming alcohol, when he refused, the petitioners threatened him and



robbed Rs.400/- from him at knife point. He further submits that the first petitioner has 8 previous cases and the second petitioner has seven previous cases pending against them. Hence, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the nature of offence, money involved in this case, considering the period of incarceration undergone by the petitioners from 02.12.2025, and though the petitioners have some previous cases, all are not similar kind of offence, in all the cases, they have been released on bail, and also considering all others factors, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the XVI Metropolitan Magistrate, George Town, Chennai, and on further conditions that:-



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[b] the petitioners shall report before the J6, Thiruvannamipur Police Station, Chennai, daily at 10.30 a.m. until further orders.

[c] the petitioners shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26.12.2025

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 XVI Metropolitan Magistrate,
George Town, Chennai.

2.The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.

5/6



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P.DHANABAL, J.

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