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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

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

Crl.O.P.No.35346 of 2025

1. Sathish

2. Suriya @ Joseph

... Petitioners

Vs.

State represented by
The Inspector of Police,
N4 Fishing Harbour Police Station,
Chennai.
(Crime No.319 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to enlarge the petitioners on bail in Crime No.319 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, who were arrested and remanded to judicial custody on 04.12.2025, for the alleged offences punishable under Sections 126(2), 296(b), 311 & 351(3) of BNS, 2023 in Crime No.319 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioners waylaid the defacto complainant, assaulted him, and robbed Rs.500/- at knife point. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners have been suffering incarceration from 04.12.2025 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that the first petitioner has seven previous cases and the second petitioner has four previous cases. Hence, he opposed for grant of anticipatory bail to the petitioners.

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



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6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the fact that though the petitioners have previous cases to their credit, all the cases are not similar kind of offences and in old cases, already bail was granted to them and taking into account the period of incarceration undergone by them from 04.12.2025, 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 his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of **the XVI Metropolitan Magistrate, George Town, Chennai**, and on further conditions that:-

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are 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 them from disclosing such facts to the Court or to any police officer



or tamper with the evidence;

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[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].

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

26.12.2025

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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.



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To

1. The XVI Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police,
N4 Fishing Harbour Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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