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Crl.O.P.No.10666 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.10666 of 2024

Praveen Aditiya

...Petitioner

Vs.

State represented by,
The Inspector of Police
W-19, All Women Police Station
Adyar, Chennai
(Crime No.14 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.14 of 2023 on the file of respondent police.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.03.2024 for the offence punishable under Sections 352, 417, 506(i) of IPC, in Crime No.14 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner and the de-facto



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complainant loved each other and the petitioner has tied thaali to the defacto complainant on 29.04.2023 and thereafter they lived together for 6 month. Thereafter, there was some family dispute and the defacto complainant lodged a complaint before the respondent police on 27.07.2023 and CSR.No.53 of 2023 was issued and after enquiry FIR was filed against the petitioner.

3. The learned counsel for the petitioner submitted that this Court by order dated 29.04.2024 granted interim bail to the petitioner. Thereafter, on 19.06.2024, at the request of the petitioner, the matter was referred to the Mediation Centre. Pursuant to the mediation talks between the petitioner and the defacto complainant, the petitioner has deposited a sum of Rs.4 lakhs in the bank account of the defacto complainant for the purpose of solving the issue between them. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner and the defacto complainant are



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major and they were loved each other. On false promise the petitioner living with the defacto complainant and thereafter refused to marry her. He also produced a letter dated 28.08.2024 communicated by the defacto complainant to the respondent police stating that she has received a sum of Rs.4 lakhs from the petitioner/accused. However, he opposed to grant bail to the petitioner.

5.Considering the submissions made by the learned counsel on either side and taking into consideration that the sum of Rs.4 lakhs was settled to the defacto complainant and also considering the period of incarceration undergone by the petitioner, the interim bail granted to the petitioner in Crl.OP.No.10666 of 2024 dated 29.04.2024 is made absolute on the following conditions:

[a]the petitioner shall report before the respondent police station on the alternate Saturday at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation;

[b]the petitioner shall not abscond either during investigation or trial;

[c]the petitioner shall not tamper with evidence



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or witness either during investigation or trial;
[d] 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];
[e] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229A of the
IPC.

28.08.2024

dhk

To

1.The Inspector of Police
W-19, All Women Police Station
Adyar, Chennai



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4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

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