



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.17894 of 2024

G.Mithun Chakravarthi

... Petitioner

Vs.

State Rep by.
The Inspector of Police
B6 Mappedu Police Station,
Pallikaranai District.
Crime No. 228 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with FIR in Crime
No. 228 of 2024 on the file of the respondent police.

For Petitioner : Mr.C.Bala Subramaniam

For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (CrI. side)



WEB COPY



ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.07.2024 for the alleged offences punishable under Sections **294(b), 309(6), 311, 351(3) of BNSS in crime No. 228 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons entered into the defacto complainant's shop at 09.30 a.m on 09.07.2024 and kept a knife on the defacto complainant's neck and taken Rs.500 from his pocket and run away from the place. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and co- accused has been released on bail. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that there are three previous cases pending against the petitioner. However, he raised objection to grant bail.



WEB COPY



5. Considering the facts and circumstances of the case and also the fact that A1 has been released on bail and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is 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 (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate - II, Tiruvallur**, 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 respondent police on alternative days at 10.30 a.m., until further orders.



WEB COPY

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

[d] the petitioner shall not tamper with 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 abscond, a fresh FIR can be registered under Section 229A IPC.

29.07.2024

pbl



WEB COPY



T.V.THAMILSELVI,J.

pbl

To

1. The **Judicial Magistrate - II, Tiruvallur.**
2. The Inspector of Police
B6 Mappedu Police Station,
Pallikaranai District.
3. The Central Prison - II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17894 of 2024

29.07.2024