



WEB COPY



CrI.O.P.No.18863 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

CrI.O.P.No.18863 of 2024

R.Kathiravan

...Petitioner/Accused

Vs.

The State rep by its
The Inspector of Police,
Ramapuram Police Station,
Thiruvallur District.
(Crime No.274 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.274 of 2024 on the file of respondent police.

For Petitioner : Mr.P.Muthamizhselvakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.05.2024 for the offences under Sections 341, 294(b), 336, 427,



Crl.O.P.No.18863 of 2024

397, 506(ii) of IPC in Crime No.274 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has waylaid the defacto complainant and robbed a sum of Rs.1000/- at knife point. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the detention order against the petitioner has been revoked by the Government. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate submitted that the petitioner has waylaid the defacto complainant and robbed a sum of Rs.1000/- at knife point. He further submitted that there are four previous cases against the petitioner. He further submitted that the petitioner was issued with detention order under Act 14 of 1982. Hence, he vehemently opposed for grant of bail to the petitioner.



CrI.O.P.No.18863 of 2024

WEB COPY

5.I have heard the representation made by the learned counsel on both side.

6. Considering the period of incarceration undergone by the petitioner and the investigation has been completed and considering the fact that the detention order under Act 14 of 1982 has been revoked by the Government and considering all other aspects, I am inclined to grant bail to the petitioner with certain conditions:

7. 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, each for a like sum to the satisfaction of the Judicial Magistrate Court No.I, Poonthamallee, 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 cards or Bank pass Books to ensure their identity;



Crl.O.P.No.18863 of 2024

WEB COPY

[b] the petitioner shall report before the jurisdictional Magistrate on every 1st working day of English Calender month for a period of six months 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 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 229A IPC.

05.08.2024

ata



CrI.O.P.No.18863 of 2024

To

- 1.The Judicial Magistrate Court No.I, Poonthamallee.
- 2.Central Prison, Puzhal.
- 3.The Inspector of Police,
Ramapuram Police Station,
Thiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.18863 of 2024

P.DHANABAL, J.

ata

Crl.O.P.No.18863 of 2024

05.08.2024