



Crl.O.P.No.19107 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.19107 of 2024

Arun @ Kebi Arun

...Petitioner/Accused

Vs.

The State rep by,
The Inspector of Police,
Madipakkam Police Station,
Chennai.
(Crime No.68 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.68 of 2024 on the file of respondent police.

For Petitioner : Mr.C.R.Gokulvisvas

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.02.2024 for the offences under Sections 294(b), 336, 341, 397, 427, and 506(ii) of the IPC in Crime No.68 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. 1,200 at knife point. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the detention order has been passed against the petitioner under Tamil Nadu Act 14 of 1982; however, the same has been revoked by the Government. Hence, he prays for the grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) submitted that the petitioner has waylaid the defacto complainant and robbed a sum of Rs.1,200/- at knife point, and the investigation is almost complete. He further submitted that there are fifteen previous cases against the petitioner. Hence, he vehemently opposed the grant of bail to the petitioner.

5.Hear both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the fact that the investigation has been completed, the fact that the detention order under Act 14 of 1982 has been revoked by the Government and also considering the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner with certain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***



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only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Alandur**, and on further conditions that :-

[a] the petitioner shall report before the Jurisdictional Magistrate every working day at 10.30 a.m., until further orders;

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

[c] the petitioner shall not tamper with evidence 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 269 of the BNS.

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To

- 1.The Judicial Magistrate,
Alandur.
- 2.Central Prison, Puzhal.
- 3.The Inspector of Police,
Padipakkam Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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