



Crl.O.P.No.19126 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.19126 of 2024

Rajesh @ Pulimootai Rajesh

...Petitioner/Accused - A2

Vs.

The State rep by,  
The Inspector of Police,  
R-10 MGR Nagar Police Station,  
Chennai.  
(Crime No.278 of 2024)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.278 of 2024 on the file of respondent police.

For Petitioner : Mr.P.Surendran

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

\*\*\*\*\*

**ORDER**



Crl.O.P.No.19126 of 2024

The petitioner, who was arrested and remanded to judicial custody on 15.07.2024 for the offences under Sections 126(2), 296(b), 311 and 351(3) of BNS in Crime No.278 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and his friend have demanded the defacto complainant and robbed him of a sum of Rs.600/-. Hence, the case.

3.Learned counsel for the petitioner submitted that there are two accused in this case, and the petitioner is arrayed as A2. He further submitted that the petitioner has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the co-accused (A1) in this case had already been granted bail by this Court. Hence, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the



CrI.O.P.No.19126 of 2024

petitioner has robbed a sum of Rs.600/- from the defacto complainant. He further submitted that there are twelve 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 and the fact that the co-accused (A1) has been granted bail, considering the nature of offence and also 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 only)*** with two sureties, each for a like sum to the satisfaction of the learned ***XXIII Metropolitan/Magistrate, Saidapet***, and on further conditions that :-

**[a] the petitioner shall report before the Siva Kanchi**



WEB COPY



CrI.O.P.No.19126 of 2024

**Police Station, Kancheepuram District, everyday  
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.

**08.08.2024**

dk

To

1.The XXIII Metropolitan Magistrate,  
Saidapet.



CrI.O.P.No.19126 of 2024

2. Central Prison – II,  
Puzhal,  
Chennai.

3. The Inspector of Police,  
R – 10 MGR Nagar Police Station,  
Chennai.

4. The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**

*dk*



WEB COPY



Crl.O.P.No.19126 of 2024

Crl.O.P.No.19126 of 2024

08.08.2024