



Crl.O.P.No.19152 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.19152 of 2024

Manoj @ Gautham

...Petitioner/Accused

Vs.

The State rep by,  
The Inspector of Police,  
P-6 Kodungaiyur Police Station,  
Chennai.  
(Crime No.483 of 2024)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in Crime No.483 of 2024 on the file of respondent police.

For Petitioner : Mr.Adinarayana Rao

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 11.07.2024 for the offences under Sections 310(2) of the BNS, 2023, in Crime No.483 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and some other persons have attacked the defacto complainant and committed theft of his cellphone. Hence, the case.

3. Learned counsel for the petitioner 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 in this case had already been granted bail by this Court and the petitioner has been in incarceration for more than 25 days. Hence, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the co-accused in this case had already been granted bail by this Court. He



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further submitted that the petitioner had twelve previous cases. Hence, he vehemently opposed to granting 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 co-accused (A1) has been granted bail, 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 only)*** with two sureties, each for a like sum to the satisfaction of the learned ***Metropolitan Magistrate, Egmore***, and on further conditions that :-

**[a]the petitioner shall report before the Siva Kanchi Police Station, Kancheepuram District, everyday at 10.30 a.m., until further orders;**



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- [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



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To

- 1.The Metropolitan Magistrate,  
Egmore.
- 2.Central Prison Puzhal,  
Chennai.
- 3.The Inspector of Police,  
P-6 Kodungaiyur Police Station,  
Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.



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**P.DHANABAL, J.**

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