



WEB COPY



CRL O.P. No.19685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2024

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THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.19685 of 2024

D.Thejeswi

... Petitioner / Accused-1

Vs

State rep. by:-

The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.

... Respondent

[Cr. No.460 of 2024]

For Petitioner : Mr.A.Tamilselvan

For Respondent : Mr.S.Vinoth Kumar
Government Advocate
[Criminal side]

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER: - The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in Crime No.460 of 2024 on the file of the respondent police.



respondent would submit that the petitioner along with other accused have waylaid the defacto complainant and robbed a sum of Rs.1,90,000/- and his mobile phone. He would further submit that there are two previous cases, including POCSO, pending against the petitioner. He would further submit that only a sum of Rs.1,00,000/- was recovered from the accused. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the representation made on both side counsel and considering the fact that co-accused was already released on bail and a part of the amount was recovered and taking into consideration the number of days of incarceration undergone by the petitioner and all other aspects, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction



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of the **Judicial Magistrate, Sriperumbudur**, and on further conditions
that:

**[b] the petitioner shall report before the respondent police
everyday at 10.30 a.m., until further orders.**

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To

- 1.The Judicial Magistrate, Sriperumbudur.
- 2.The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
- 3.Central Prison, Vellore.
- 4.The Public Prosecutor, High Court, Madras.

P.DHANABAL,J



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