



WEB COPY



CRL O.P. No.20252 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.08.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

**CRL OP.No.20252 of 2024**

Praveen

... Petitioner / Accused-1

Vs

**State rep. by:-**

The Inspector of Police,  
Sooramangalam Police Station,  
Salem District.

... Respondent

[Cr. No.931 of 2024]

For Petitioner : Mr.C.R.Gokulvisvas

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. 931 of 2024 on the respondent police.



WEB COPY



CRL O.P. No.20252 of 2024

## **ORDER**

The Petitioner, who was arrested and remanded to judicial custody on 10.05.2024 for the offences punishable under Sections 309(4) and 311 of BNSS, in Crime No.931 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 01.07.2024 at about 10.30 p.m., the petitioner along with the other accused went to the defacto complainant's bakery and had tea and snacks. When the defacto complainant asked them to pay money, the accused refused to pay money and threatened him by showing knife and snatched Rs.2,000/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has only attempted to take money and he has not committed any such offence as alleged by the prosecution. He would further submit that investigation has been completed and the



petitioner is also ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner along with the other accused went to the shop of the defacto complainant and threatened him by showing knife and robbed Rs.2,000/-. He would further submit that investigation has been completed and there are six previous cases against the petitioner. However, 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 fact that investigation was almost completed and the number of days of incarceration undergone by the petitioner and that though the petitioner has previous cases, he has been released on bail in all the cases, 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



CRL O.P. No.20252 of 2024

Thousand only) with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate Court No.II, Salem**, 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.

21.08.2024

ata



WEB COPY



CRL O.P. No.20252 of 2024

To

1.The Judicial Magistrate Court No.II, Salem.

2.The Inspector of Police,  
Sooramangalam Police Station,  
Salem District.

3.Central Jail, Salem.

4.The Public Prosecutor, High Court, Madras.



WEB COPY



CRL O.P. No.20252 of 2024

**P.DHANABAL,J**  
ata

CRL.OP.No.20252 of 2024

21.08.2024