



CRL O.P. No.21373 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.21373 of 2024

Manikandan

... Petitioner / Accused - 3

Vs

State rep. by
The Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.

(Crime No.557 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioner on bail in Crime No.557 of 2024, on the file of the respondent.

For Petitioner : Mr.S.Sethu Ramakrishnan

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



CRL O.P. No.21373 of 2024

WEB COPY

ORDER

The petitioner/A3, who was arrested and remanded to judicial custody on 06.08.2024 for the offences punishable under Sections 296(b), 115(2), 118(1), 311, 351(3) of BNS, 2023, in Crime No.557 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 29.07.2024 at about 12.30 a.m., when the defacto complainant was standing at Nerkundran Bus Stop, the petitioner along with the other accused, waylaid the defacto complainant, abused her in filthy language and snatched Rs.10,000/- at knife point. 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 co-accused in this case have been released on bail by the Court below. He would also submit that there is no previous case against the petitioner. Hence, he prays for grant of bail to the petitioner.



WEB COPY

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner along with the other accused waylaid the defacto complainant and snatched Rs.10,000/- from the defacto complainant at knife point. He would further submit that the amount has not yet been recovered and there is no previous case as against the petitioner and co-accused were released on bail by the lower Court. 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 co-accused have been released on bail and the petitioner has no previous case against him and considering that the petitioner is also an unnamed accused in this case and that 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



CRL O.P. No.21373 of 2024

Thousand only) with two sureties each for a like sum to the satisfaction of the **V Metropolitan Magistrate Court, Egmore, Chennai**, and on further conditions that;

[b] the Petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[e] the Petitioner shall not abscond 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]; and

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

03.09.2024

ata



CRL O.P. No.21373 of 2024

WEB COPY

To

- 1.The V Metropolitan Magistrate Court, Egmore, Chennai.
- 2.The Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor, High Court, Madras.



WEB COPY



CRL O.P. No.21373 of 2024

P.DHANABAL,J.
ata

CRL.OP.No.21373 of 2024

03.09.2024