



CRL O.P. No.21587 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.21587 of 2024

Saravanan @ Senthil

... Petitioner / Accused - 1

Vs

State rep. by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

(Crime No.1372 of 2009)

... 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.1372 of 2009, on the file of the respondent.

For Petitioner : Mr.D.Magesh

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



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ORDER

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The petitioner seeks bail in C.C.No.160 of 2012 for the offences punishable under Section 382 of IPC, on the file of the Judicial Magistrate Court, Palladam, Tiruppur District. The petitioner has been remanded to judicial custody on 03.05.2024 on execution of NBW issued against him on 27.09.2021.

2.The case of the prosecution is that the petitioner along with the other accused were indulged in chain snatching from the public. 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 was already granted bail and due to health issues, he did not appear before the Court and hence, NBW was issued against the petitioner on 27.09.2021. He would further submit that the petitioner has been in judicial custody for the past 117 days. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner along with the other accused were found in committing chain snatching from public. He would further submit that the petitioner was already granted bail and due to his non appearance before the Court, NBW was issued and the same was executed only on 03.05.2024. He would further submit that trial is in progress and insofar as six witnesses were examined. 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 that already the petitioner was released on bail and thereafter, due to his non appearance before the Court, NBW was issued and the same was executed and also considering that the petitioner is in custody for the past 117 days and that the material witnesses were examined and the case is now posted for examination of other witnesses and all other aspects, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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[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 of the **Judicial Magistrate Court, Palladam, Tiruppur District**, and on further conditions that;

[b] the Petitioner shall report before the Trial Court on every working day at 10.30 a.m., until further orders.

[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.

04.09.2024

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To

- 1.The Judicial Magistrate Court, Palladam, Tiruppur District.
- 2.The Inspector of Police,
Palladam Police Station,
Tiruppur District.
- 3.Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.
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