



WEB COPY



CRL O.P. No.21524 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.21524 of 2024

Bannu @ Sarathkumar

... Petitioner / Accused

Vs

State rep. by
The Inspector of Police,
Pallikonda Police Station,
Vellore District.

(Crime No.219 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.219 of 2024, on the file of the respondent.

For Petitioner : Mr.D.Thirumoorthy

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



CRL O.P. No.21524 of 2024

ORDER

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 16.06.2024 for the offences punishable under Sections 392 and 397 of IPC, in Crime No.219 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the defacto complainant is running a petty shop near Pallikonda Toll Plaza at Chennai-Bangalore Highways. On 16.06.2024, the petitioner came to the shop of the defacto complainant, threatened him by showing knife and snatched Rs.5,000/- from him. 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 been in judicial custody from 16.06.2024. He would also submit that the petitioner is ready to abide by any stringent 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 went to the defacto complainant's tea shop and snatched Rs.5,000/- at knife point. He would further submit that there are four previous cases against the petitioner. He would also submit that the money was recovered. 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 the money was already recovered and that the number of days of incarceration undergone by the petitioner and also considering that though the petitioner has four previous cases, he was granted 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 Thousand only) with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate V, Vellore**, and on further conditions that;

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



CRL O.P. No.21524 of 2024

[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

ata

Note: Issue order copy on 04.09.2024.



CRL O.P. No.21524 of 2024

To
WEB COPY

- 1.The Judicial Magistrate – V, Vellore.
- 2.The Inspector of Police,
Pallikonda Police Station,
Vellore District.
- 3.Central Jail, Vellore.
- 4.The Public Prosecutor, High Court, Madras.



WEB COPY



CRL O.P. No.21524 of 2024

P.DHANABAL,J.
ata

CRL.OP.No.21524 of 2024

04.09.2024