



CRL O.P. No.21615 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.21615 of 2024

Raghuvaran @ Robo Raghu

... Petitioner / Accused -1

Vs

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

(Crime No.68 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.68 of 2024, on the file of the respondent.

For Petitioner : Mr.M.R.Thangavel

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



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 07.02.2024, for the offences punishable under Sections 392 and 397 of IPC, in Crime No.68 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 01.02.2024 at about 7.50 p.m., while the defacto complainant was standing outside his house, the petitioner along with the other accused, threatened the defacto complainant and robbed Rs.50,000/- and also demanded another sum of Rs.1,00,000/- by showing knife. 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 for more than 200 days. He would further submit that co-accused in this case were released on bail and due to money between the petitioner and the defacto complainant, a false complaint has been lodged. 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.



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4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner along with the other accused, trespassed into the house of the defacto complainant, threatened him by showing knife and robbed Rs.50,000/- and also demanded Rs.1,00,000/- from the defacto complainant. He would further submit that investigation is still pending and some of the accused are absconding. He would also submit that co-accused in this case were also released on bail. 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 representation made by both side learned counsels and considering that co-accused in this case were released on bail and that there is money dispute between the parties and also considering that investigation has been completed and the petitioner has been in judicial custody for more than 200 days 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 – IV, Vellore**, and on further conditions that;

[b] the Petitioner shall report before the jurisdictional Judicial Magistrate on all working days 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.

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To
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- 1.The Judicial Magistrate – IV, Vellore.
- 2.The Inspector of Police,
Vellore North Police Station,
Vellore District.
- 3.Vellore Central Prison, Thorapadi.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.
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