



CRL O.P. No.21825 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :05.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.21825 of 2024

Ajay Vignesh.B

... Petitioner / Accused

Vs

State rep. by
The Inspector of Police,
R-3, Ashok Nagar Police Station,
Chennai – 600 083.

(Crime No.222 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.222 of 2024, on the file of the respondent.

For Petitioner : Mr.S.Sivaraman

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



CRL O.P. No.21825 of 2024

ORDER

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 30.07.2024 for the offences punishable under Section 303(2) of BNS, 2023, in Crime No.222 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the defacto complainant is doing finance business and when he proposed to sell a Honda Brio car bearing Regn.No.TN-06-F-6009 in his possession, the petitioner visited the office of the defacto complainant and verify the documents. While, so, when the defacto complainant was out of station, the petitioner went to the defacto complainant's office and stolen the said car and the documents and sold the car to some other person. 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 due to money dispute, a false complaint has been lodged against the petitioner and the petitioner has been in judicial custody from 30.07.2024. He would also submit that the petitioner is ready to abide by any condition that may be imposed by this Court. 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 went to the office of the defacto complainant, stolen his car and documents. He would further submit that there are two previous cases against the petitioner. He would also submit that investigation has been completed and the car was sold by the petitioner and he has spent the money. 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 nature of offences and the number of days of incarceration undergone by the petitioner and considering that though the petitioner is having two previous cases, he was already granted bail in all the cases and that investigation has been completed, 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



CRL O.P. No.21825 of 2024

of the **XVII Metropolitan Magistrate, Saidapet, Chennai**, and on further conditions that;

[b] the Petitioner shall report before the jurisdictional Judicial Magistrate 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.

05.09.2024

ata



CRL O.P. No.21825 of 2024

To
WEB COPY

- 1.The XVII Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Inspector of Police,
R-3, Ashok Nagar Police Station,
Chennai – 600 083.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor, High Court, Madras.



WEB COPY



CRL O.P. No.21825 of 2024

P.DHANABAL,J.
ata

CRL.OP.No.21825 of 2024

05.09.2024