



Crl.O.P.No.21790 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.21790 of 2024

1. Shanmugam

2. Anthony Raj

3. Sivakumar

4. Suriya

... Petitioners

Vs.

State represented by,
The Inspector of Police,
T 15 Kannagi Nagar Police Station,
Tambaram City.
(Crime No. 224 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioners on bail, in Crime No. 224 of 2024 on the
file of the respondent Police.

For Petitioners : Mr.J. Samiullah

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 01.08.2024, for the alleged offence punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) and 109 of BNS, 2023 in Crime No.224 of 2024, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity the petitioners waylaid the defacto complainant and assaulted him with knife, due to which the defacto complainant was injured. It is also stated that the petitioners threatened the defacto complainant with dire consequences. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. They have not committed any offence as alleged in the FIR. He would further submit that the petitioners were arrested and is in judicial custody from 01.08.2024 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to previous enmity, the petitioners threatened the defacto complainant with dire consequences and also attacked him with knife and caused injuries to him. He further submitted that the injured has been discharged from the hospital. He further submitted that the all the petitioners have previous cases, pending against them. However, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side, and considering the period of incarceration undergone by the petitioners, and also taking note that though the petitioners have previous cases, in which, they have been released on bail and the injured discharged from the hospital and also considering all others factors, I am inclined to grant bail to the petitioners, subject to certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sholinganallur and on further conditions that:-

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

[b] the petitioners shall not commit any offences of similar nature.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered



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under Section 269 BNS.

10.09.2024

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To

- 1.The Judicial Magistrate, Sholinganallur
2. The Inspector of Police,
T 15 Kannagi Nagar Police Station,
Tambaram City.
- 3.The Superintendent,
Central Prison, Salem
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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