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Crl.O.P.No.21753 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

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

Crl.O.P.No.21753 of 2024

J.Suji Mohan

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
E-1 Singanallur Police Station,  
Coimbatore.  
(Crime No. 381 of 2024).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S.,  
pleased to enlarge the petitioner on bail, in Crime No. 381 of 2024 on the file  
of the respondent Police.

For Petitioner : Mr.B.Kumarasamy

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

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 28.07.2024, for the alleged offences punishable under Sections 309(4) &



Crl.O.P.No.21753 of 2024

311 of BNS Act, in Crime No.381 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.07.2024, at about 4.00 p.m., the petitioner waylaid the defacto complainant and threatened him by showing knife and robbed the gold chain from the defacto complainant. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, since he has got some previous cases. He has not committed any offence as alleged in the FIR. He would further submit that the petitioner was arrested and is in judicial custody for more than 35 days and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on the date of the alleged occurrence, the petitioner waylaid the defacto complainant and threatened him by showing



CrI.O.P.No.21753 of 2024

knife and also robbed the gold chain from the defacto complainant. He further submitted that the property was recovered from the petitioner. He further submit that the petitioner has nine previous cases, pending against him. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on either side, nature of offence, and considering the period of incarceration undergone by the petitioner, and considering that the property was recovered, and also considering that though the petitioner has 9 previous cases, in all other cases, he has been released on bail, and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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



CrI.O.P.No.21753 of 2024

Magistrate No.3, Coimbatore and on further conditions that:-

[a] the petitioner shall report before the Palladam Police Station, everyday at 10.30 a.m., until further orders.

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

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

[d] the petitioner 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

**05.09.2024**

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CrI.O.P.No.21753 of 2024

To

- 1.The Judicial Magistrate No.3,  
Coimbatore.
- 2.The Inspector of Police,  
E-1 Singanallur Police Station,  
Coimbatore.
- 3.The Superintendent,  
Central Prison, Coimbatore.
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**



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Crl.O.P.No.21753 of 2024

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**Crl.O.P.No.21753 of 2024**

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