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Crl.O.P.No.22418 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

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

Crl.O.P.No.22418 of 2024

Karmegam

...Petitioner/Accused - A1

Vs.

State Represented by  
The Inspector of Police  
T-4, Shankar Nagar Police Station  
Chennai District.  
Crime No.328 of 2024

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.328 of 2024 on the file of the respondent police.

For Petitioner : M/s.G.Gayathri

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

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**ORDER**



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The petitioner/A1, who was arrested and remanded to judicial custody on 03.07.2024 for the offences under Sections 109, 120(B), 142, 147, 294(b), 323, 364(A), 379, 384, 506(1) of the IPC in Crime No.328 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, along with other accused, robbed money and snatched debit and credit cards from the defacto complainant. It is further alleged that the petitioner and other accused purchased the things for a value of Rs.6,10,000/- by using those cards of the defacto complainant. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the co-accused in this case was released on bail; that the petitioner has been in custody since 03.07.2024; that he is a law-abiding citizen; that he is ready to furnish substantial sureties for his due release on bail; and therefore, he prays for the grant of bail to the



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petitioner.

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4. Learned Government Advocate (Crl.Side) for the respondent police opposed granting bail to the petitioner by stating that the petitioner and others had robbed money and snatched debit and credit cards from the defacto complainant; and that the petitioner and other accused purchased the things for a value of Rs.6,10,000/- by using those cards of the defacto complainant. He further submitted that there are five previous cases pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the representation made by both sides, the nature of offence charged against the petitioner, that the co-accused was released on bail, that the petitioner has been in custody since 03.07.2024, that though the petitioner has some previous cases, in all cases, he was released on bail, and considering all other aspects, this Court is inclined to grant bail to the petitioner with certain conditions:

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



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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 learned ***District Munsif Cum Judicial Magistrate, Court at Pallavaram,*** and on further conditions that:

**[a] the petitioner shall report before the Jurisdictional Magistrate on every working day at 10.30 a.m., until further orders;**

[b] the petitioner shall attend in accordance with the conditions of the bond;

[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 or tamper with the evidence;

[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



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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.

**12.09.2024**

*dk*

To

- 1.The District Munsif Cum Judicial Magistrate  
Pallavaram.
- 2.The Superintendent of Prison,  
Central Prison Puzhal – II,  
Chennai.
- 3.The Inspector of Police  
T-4, Shankar Nagar Police Station  
Chennai District.
- 4.The Public Prosecutor  
High Court of Madras.

**P.DHANABAL, J.**

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