



WEB COPY



CRL O.P. No.21874 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.09.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.21874 of 2024

Mohan Raj S/o. Ramachandran ... Petitioner / Accused No.1
Vs

State rep. by:-

The Inspector of Police,
Nallur Police Station,
Tiruppur. ... Respondent
[Cr. No.501 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 483 of
B.N.S.S., praying to grant bail to the petitioner/Accused in Crime No.501
of 2024 on the file of the respondent police.

For Petitioner : Mr. J. Franklin
For Respondent : Mr. S. Vinothkumar
Government Advocate (Criminal
side)

ORDER



CRL O.P. No.21874 of 2024

The petitioner/1st Accused, who was arrested and remanded to judicial custody on 02.08.2024 for the offences punishable under sections 309(6), 311 of B.N.S. Act 2023 of IPC in Crime No.501 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 5.30 p.m., the petitioner along with other accused alleged to have snatched the gold chain weighing 8 sovereign from the defacto complainant and caused injury with an aid of weapon on fleeing the place of occurrence. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner, that he is no way connected with the commission of offences, that there is no previous case is pending against him and he is in judicial custody from 02.08.2024 and hence he prayed to grant bail.

4. The learned Additional Public Prosecutor would submit that the offences are grave in nature, that the petitioner has snatched gold chain weighing 8 sovereigns from the defacto complainant and caused injury



CRL O.P. No.21874 of 2024

and hence he strongly objected to grant bail to the petitioner. However, he admitted that there is no previous case as against the petitioner.

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

6. Considering the rival submissions on either side and considering the fact that already property was recovered, that there is no previous case pending against the petitioner, considering the nature of offences charged against the petitioner and also considering the period of incarceration underwent by the petitioner, I am 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 of the learned **Judicial Magistrate No.IV, Tiruppur** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 A.M. for 30 days and thereafter as and when required for interrogation.

[c] the petitioner shall not commit any offence similar to the



CRL O.P. No.21874 of 2024

offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

11.09.2024

index: Yes/No

4/6



CRL O.P. No.21874 of 2024

Internet: Yes/No
Speaking/Non Speaking order
mjs

TO

- 1.The Judicial Magistrate No.IV, Tiruppur
- 2.The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police,
Nallur Police Station,
Tiruppur.
4. The District Jail, Tiruppur.

P.DHANABAL,J
mjs

CRL.OP.No.21874 of 2024



WEB COPY



CRL O.P. No.21874 of 2024

11.09.2024