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CrI.O.P.No.21882 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

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

CrI.O.P.No.21882 of 2024

Ganesan @ Jangili Ganesan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
G-1, Vepery Police Station,
Chennai.
(Crime No. 193 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, in Crime No. 193 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.C.Jagan

For Respondent : M/s.G.V.Kasthuri,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 28.06.2024 under PT Warrant, for the alleged offence punishable under
Section 229(A) of IPC, in Crime No.193 of 2024, on the file of the



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respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that the petitioner is an innocent person. He further submitted that the petitioner was granted bail in Cr.No.60 of 2024 for an offence under Section 294(b), 394 r/w 397, 506(ii) of IPC in Crl.MP.No.14162/2024 dated 22.05.2024 with certain conditions and one of the condition is that, he shall appear before the respondent police daily at 10.00 a.m., until further orders. He further submits that he was arrested in another case in Crime No.193 of 2023, for which, he could not able to comply with the conditions imposed on him. He further submitted that the petitioner is in custody from 28.06.2024, and is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was granted bail in Crl.MP.No.14162 of 2024 dated 22.05.2024, with certain conditions, and one of the condition is that, he shall appear before the respondent police daily at 10.00 a.m., until further orders. But, the petitioner has not complied with the



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condition for a single day. He further submits that the petitioner has 25 previous cases, pending against him. He further submits that investigation was completed and the charge sheet was also filed. Hence, he opposed to grant bail to the petitioner.

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

5. Considering the submissions made by the learned counsel on either side, nature of offence, and the petitioner was arrested and remanded in other case, and also considering the period of incarceration undergone by the petitioner, investigation was completed and the charge sheet was also filed, and though the petitioner has 25 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.



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6. 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 II Metropolitan Magistrate Court, Egmore, Chennai, and on further conditions that:-

[a] the petitioner shall report before the concerned Jurisdictional Magistrate, on every Monday at 10.30 a.m., until further orders.

[b] 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;

[c] 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;

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



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[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]; and

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

11.09.2024

drl

To

- 1.The II Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Inspector of Police,
G-1, Vepery Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Puzhal-II, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

drl

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