



WEB COPY



CrI.O.P.No.21967 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

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

CrI.O.P.No.21967 of 2024

Anand @ Kalab

... Petitioner

Vs.

The State represented by
Inspector of Police,
F4 Thousand Lights Police Station,
Triplicane, Chennai – 600 006.
(Crime No. 114 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail connected in Crime No.114 of 2024 on the file of the Inspector of Police,F4 Thousand Lights Police Station,Triplicane, Chennai.

For Petitioner : Mr.R. Parthiban

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.07.2024, for the alleged offences punishable under Section 303(2) of BNS, in Crime No.114 of 2024, on the file of the respondent police, seeks



Crl.O.P.No.21967 of 2024

bail.

2. The case of the prosecution is that on 01.07.2024, the petitioner had stolen a two wheeler belonging to 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. He has not committed any offence as alleged in the FIR. He would further submit that the petitioner is in judicial custody for more than 30 days and he 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 the petitioner has stolen the two wheeler which belongs to the defacto complainant. He further submitted that the property was recovered. He further submitted that the petitioner has eighteen previous case, similar in nature, pending against him. Hence, he strongly opposed to grant bail to the petitioner.



Crl.O.P.No.21967 of 2024

WEB COPY

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

6. Considering the submission of the learned counsel on either side, considering the period of incarceration undergone by the petitioner and also taking note of the fact that the stolen property was recovered from the petitioner and the petitioner has some previous cases, in which, 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 learned **XIV Metropolitan Magistrate, Egmore** and on further conditions that:-

[a] the petitioner shall report before the Thiruvallur 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.



CrI.O.P.No.21967 of 2024

WEB COPY

[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.

06.09.2024

smn



Crl.O.P.No.21967 of 2024

WEB COPY

To

1. The **XIV Metropolitan Magistrate, Egmore**

2. The Inspector of Police,
F4 Thousand Lights Police Station,
Triplicane, Chennai – 600 006.

3. The Central Prison, Puzhal

4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.21967 of 2024

P.DHANABAL, J.

smn

Crl.O.P.No.21967 of 2024

06.09.2024