



WEB COPY



CRL O.P. No.21999 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.21999 of 2024

Senthilkumar @ Kumar,
S/o.Thangavel

... Petitioner

Vs

State rep. by:-

The Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur.
[Cr.No.453 of 2024]

... Respondent

PRAYER: - Criminal Original Petition filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner/Accused in Crime No.453 of 2024 on the file of the respondent police.

For Petitioner : Mr.Balaji Sankar Moorthy

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



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4. The learned Government Advocate (Criminal Side) would submit that this petitioner purchased the robbed jewel from the co-accused. Till now, there is no recovery from the accused persons. In this case, this petitioner was arrested and remanded to judicial custody on 30.07.2024. Hence, he objected to grant bail to the petitioner.

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

6. Considering the rival submissions on either side and considering the nature of offence, no similar kind of previous case is pending against the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is 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, Avinashi** and on further conditions that:

[b] the petitioner shall report before the concerned jurisdictional Magistrate on every working day at 10.30 a.m. until further orders;



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

[d] the petitioner shall not commit any offence similar to the offence of which he is accused; or suspected, or of the commission of which he is suspected; and

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

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

[g] 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].



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[h] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 B.N.S.

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index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

gvn



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P.DHANABAL,J

gvn

To

- 1.The Judicial Magistrate, Avinashi.
2. The Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur.
3. Sub-Jail, Avinashi.
4. The Public Prosecutor,
High Court, Madras.

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