



WEB COPY



Crl.O.P.No.22265 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2024

CORAM

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

Crl.O.P.No.22265 of 2024

Guna

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Ambattur Estate Police Station,
Chennai.
(Crime No.474 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.474 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.A.Murugavel

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 04.08.2024, for the alleged offence punishable under Sections 126(2),



Crl.O.P.No.22265 of 2024

296(b), 115(2), 118(1), 324(2), 311, 351(3) of BNS Act in Crime No.474 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 waylaid the defacto complainant and robbed a sum of Rs.580/- at knife point. 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 was arrested and is in judicial custody from 04.08.2024 and 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 that the petitioner along with other accused waylaid the defacto complainant and robbed a sum of Rs.580/- at knife point. He further submitted that the amount was recovered and there was two previous cases, pending against him. However, he opposed to grant bail to the petitioner.



CrI.O.P.No.22265 of 2024

WEB COPY

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

6. Considering the submissions of the learned counsel on either side, and considering the period of incarceration undergone by the petitioner, and also taking note that the petitioner has two previous cases, in which, he has been released on bail and the amount was recovered and also considering all others factors, I am inclined to grant bail to the petitioners, 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 Judicial Magistrate, Ambattur and on further conditions that:-

[a]the petitioner shall report before the respondent police 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



Crl.O.P.No.22265 of 2024

trial.

[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.

10.09.2024

smn



Crl.O.P.No.22265 of 2024

WEB COPY

To

1.The Judicial Magistrate, Ambattur.

2. The Inspector of Police,
Ambattur Estate Police Station,
Chennai

3.The Superintendent,
Central Prison-II, Puzhal, Chennai

4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.22265 of 2024

P.DHANABAL, J.

smn

Crl.O.P.No.22265 of 2024

10.09.2024