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CrI.O.P.No.22480 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

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

CrI.O.P.No.22480 of 2024

Ragavendran @ Kutty

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
T8 Guduvancherry Police Station,
Chengalpattu District.
(Crime No. 431 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No. 431 of 2022 on the file
of the respondent Police.

For Petitioner : Mr.J.Aravind

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 02.02.2024 for the alleged offence punishable under Sections 147, 148,
302, 450, 506(ii) of IPC, in Crime No.431 of 2022, 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, already the petitioner was granted bail in Crl.MP.No.5497/2022 dated 12.12.2022 with certain conditions. Later the said bail order was cancelled in Crl.MP.No.765 of 2023 dated 06.11.2023 for non-compliance of condition. He further submits that he was arrested in another case, for which, he could not able to comply with the conditions imposed on him. He further submitted that the petitioner is in custody from 02.02.2024, 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, already the petitioner was granted bail in in Crl.MP.No.5497/2022 dated 12.12.2022, subsequently, due to non-compliance, the said bail order was cancelled. He further submits that in this case totally eight accused are implicated and this petitioner is arrayed as A1. He further submit that now the case has been committed to the Court of



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Sessions. 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 considering the fact that the petitioner was already granted bail and due to arrest in another case, he was unable to appear before the Trial Court and the Trial Court also cancelled the bail order, and also considering the period of incarceration undergone by the petitioner, and now the case has been committed to Sessions Court and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

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 Judicial Magistrate No.II, Chengalpattu, and on further conditions that:-



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[a] the petitioner shall report before the concerned Jurisdictional Magistrate, on all working days 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;

[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



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

12.09.2024

drl

To

- 1.The Judicial Magistrate No.II,
Chengalpattu.
- 2.The Inspector of Police,
T8 Guduvancherry Police Station,
Chengalpattu District.
- 3.The Superintendent,
Central Prison-II, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

drl

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