



Crl.O.P.No.22833 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.22833 of 2024

1.Munusamy

2.Veera Ragavan @ Veera

...Petitioners/Accused 1 & 2

Vs.

The State rep by its
The Inspector of Police,
Redhills Police Station,
Thiruvallur District.

(Crime No.715 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioners on bail in Crime No.715 of 2024 on the file of the respondent.

For Petitioners : Mr.P.Chandrasekar

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

ORDER



The petitioners, who were arrested and remanded to judicial custody on 06.08.2024 for the offences punishable under Sections 126(2), 296(b), 309(4), 311, 351(3) of BNS, 2023, in Crime No.715 of 2024, on the file of the respondent police seek bail.

2.The case of the prosecution is that on 06.08.2024 at about 10.30 a.m., when the defacto complainant was walking near Venkateshwara Thirumana Mahal, the petitioners waylaid the defacto complainant, abused him in filthy language, threatened him with dire consequences and robbed Rs.1500/- at knife point. Hence, the case.

3.Learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners have been in custody from 06.08.2024 and the money was also recovered. He further submitted that the petitioners are ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioners.

4.Learned Government Advocate submitted that the petitioners waylaid the defacto complainant, abused him in filthy language, threatened



him and robbed Rs.1500/- at knife point. He further submitted that the 1st petitioner has 14 previous cases and the 2nd petitioner has 10 previous cases against them. He further submitted that the money was recovered. However, he vehemently opposed to grant bail to the petitioners.

5.I have heard the representation made by the learned counsel on both side.

6. Considering the nature of offences and the money was recovered and that though the petitioners are having some previous cases, in all the cases, they were granted bail and also taking into consideration the number of days of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions:

[a] Accordingly, the Petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate II, Pooneri**, and on further conditions that;

[b] the Petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.

[c] the Petitioners 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;

[d] the Petitioners 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;

[e] the Petitioners shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

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

18.09.2024

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To

- 1.The Judicial Magistrate II, Ponneri.
- 2.Central Prison, Puzhal.



Crl.O.P.No.22833 of 2027

3.The Inspector of Police,
Redhills Police Station,
Thiruvallur District.

4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

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