



Crl.O.P.No.22978 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.22978 of 2024

Janarthanan

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police
J-6, Thiruvanmiyur Police Station,
Chennai.
(Crime No.245 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.245 of 2024 on the file of respondent police.

For Petitioner : Mr.V.Anandhan

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



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4. Learned Government Advocate (Crl.Side) for the respondent police submitted that there are two accused in this case; that the petitioner was arrayed as A1 and that the petitioner, along with the other accused, trespassed into the defacto complainant's house and had stolen away a sum of Rs.9,000/- (Rupees Nine Thousand Only) and three cell phones from his house. He further submitted that no money was recovered and only one cell phone was recovered and that there are five previous cases pending against the petitioner. Hence, he strongly opposed the grant of bail to the petitioner.

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

6. Considering the representation made by both sides, the nature of offence charged against the petitioner, that some of the stolen property was recovered, that though the petitioner has some previous cases, which are not similar kinds of offences and already he was granted bail in those cases, and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:



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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 *XVIII Metropolitan Magistrate, Saidapet*, and on further conditions that:

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

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

[c] 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;

[d] 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;

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



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[f] 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

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

19.09.2024

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To

1.The XVIII Metropolitan Magistrate,
Saidapet.

2.The Superintendent of Prison,
Central Prison,
Puzhal.

P.DHANABAL, J.

dk



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3.The Inspector of Police
J-6, Thiruvanmiyur Police Station,
Chennai.

4.The Public Prosecutor,
High Court of Madras.

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