



Crl.O.P.No.23772 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.23772 of 2024

1. Rajamani

2. Uma

3.Puvana

4.Selvi

...Petitioners/A1 to A4

Vs.

The State Rep. By
The Inspector of Police,
Nallur Police Station,
Namakkal District.
(Crime No.120 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioners on bail in Crime No.120 of 2024 on the file of respondent police.

For Petitioners : Mr.S.Parameswaran

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



Crl.O.P.No.23772 of 2024

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ORDER

The petitioners/A1 to A4, who were arrested and remanded to judicial custody on 30.08.2024 for the offences under Sections 310(2) of the BNS Act, 2023 in Crime No.120 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners, along with other accused, threatened the de facto complainant and snatched six sovereign gold thali chain from her at knife-point during the temple festival. Hence, the complaint.

3. Learned counsel appearing for the petitioners/A1 to A4 submitted that the petitioners are innocent persons and they have been falsely implicated in this case; and that they have not committed any offence as alleged in the FIR. He further stated that the petitioners have been in judicial custody since 30.08.2024; that the petitioners are law-abiding citizens, and they are ready and willing to furnish substantial sureties for their due release on bail and to abide by any conditions that



Crl.O.P.No.23772 of 2024

may be imposed by this Court; and therefore, he prayed for the grant of bail for the petitioners.

4. Learned Government Advocate (Crl.Side) for the respondent police submitted that there are five accused in this case; that the petitioners are arrayed as A1 to A4; that the petitioners, along with other accused, threatened the de facto complainant and snatched six sovereign gold thali chain from her at knife-point during the temple festival. He further submitted that though the property was recovered, the petitioners had a lot of previous cases; that the first petitioner has ten previous cases; that the second petitioner has nineteen previous cases; that the third petitioner has three previous cases; and that the fourth petitioner has forty seven previous cases, which are not similar kinds of offences. Hence, he vehemently opposed the grant of bail to the petitioners.

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



CrI.O.P.No.23772 of 2024

6.Considering the representation made by both sides, the nature of the allegation made against them; that already the property was recovered; that though the petitioners are having previous cases, all the cases are not similar kinds of offences and in all cases, already they were granted bail, and also taking into consideration the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a 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 learned *Judicial Magistrate, Paramathi* and on further conditions that:

[a] **the petitioners shall report before the Kondalampatty Police Station, Salem District, daily at 10.30 a.m., until further orders;**

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

[c] the petitioners shall not commit any offences of



CrI.O.P.No.23772 of 2024

similar to the offence of which they are accused, or suspected, or of the commission of which they 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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 of the B.N.S.

26.09.2024

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CrI.O.P.No.23772 of 2024

To

1.The Judicial Magistrate,
Paramathi.

2.The Women Central Prison,
Salem.

3.The Inspector of Police,
Nallur Police Station,
Namakkal District.

4.The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.23772 of 2024

P.DHANABAL, J.

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CrI.O.P.No.23772 of 2024

26.09.2024