



WEB COPY



Crl.O.P.No.25121 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

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

Crl.O.P.No.25121 of 2024

Saravanan

... Petitioner

Vs.

State represented by,  
The Inspector of Police,  
T-10, Thirumullaivoyal Police Station,  
Avadi City.  
(Crime No. 59 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.59 of 2024 on the file  
of the respondent Police.

For Petitioner : Mr.D.Manojkumar

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

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 13.05.2024, for the alleged offence punishable under Sections 307 & 302



Crl.O.P.No.25121 of 2024

of IPC @ Section 341, 449, 307(3 counts) & 302 of IPC, in Crime No.59 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that on 10.02.2024 at about 7.30 p.m, while the defacto complainant and her husband were in the house, the petitioner trespassed into their house with the intention to commit robbery of gold jewels and money, for which, the petitioner assaulted the defacto complainant's husband, mother and daughter with a knife. As a result, the defacto complainant's husband died on the spot, while her mother and daughter sustained severe injuries and were admitted to the hospital. 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 further submits that the petitioner was detained under Act-14 and the same was set aside by this Court. He would further submit that the petitioner was arrested and is in judicial custody from 13.05.2024 days and is ready to abide by any



CrI.O.P.No.25121 of 2024

conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that on the date of the alleged occurrence, the petitioner trespassed into the house of the defacto complainant with the intention to commit robbery of jewels and money, for which, the petitioner attacked the defacto complainant's husband, mother and daughter with a knife, as a result, her husband died on the spot, mother and her daughter were sustained severe injuries and admitted to the hospital. He further submit that the petitioner has no previous case, pending against him. He further submits that the investigation was completed and the final report was also filed. However, opposed to grant bail to the petitioner.

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

6. Considering the submission made by the learned counsel on either side, nature of offence, considering the period of incarceration



CrI.O.P.No.25121 of 2024

undergone by the petitioner, and the petitioner has no previous case pending against him, investigation was completed and the final report was also filed, the detention order was also set aside by this Court as against the petitioner, and also considering all others factors, I am inclined to grant bail to the petitioner, 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 Judicial Magistrate, Ambattur, and on further conditions that:-

[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



CrI.O.P.No.25121 of 2024

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

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

**15.10.2024**

drl

To

- 1.The Judicial Magistrate,  
Ambattur.
- 2.The Inspector of Police,  
T-10, Thirumullaivoyal Police Station,  
Avadi City.
- 3.The Superintendent,  
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**



WEB COPY



Crl.O.P.No.25121 of 2024

drl

**Crl.O.P.No.25121 of 2024**

**15.10.2024**