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CRL O.P. No.25211 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.25211 of 2024

Ramki @ Ramkumar

... Petitioner / Accused

Vs

State rep. by
The Inspector of Police,
Kavarapettai Police Station,
Tiruvallur District.

(Crime No.413 of 2024)

... Respondent

PRAYER:- The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioner on bail in Crime No.413 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.Rajadurai

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 20.07.2024, for the offences punishable under Sections 294(b), 323, 324, 379, 307, 506(ii) and 120B of IPC, in Crime No.413 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 09.05.2024 at about 7.30 p.m., when the defacto complainant was coming near Thatchur Jumbo Bag Company in his car, the petitioner along with the other accused came in a car dashed against the defacto complainant, due to which there was a wordy quarrel. During quarrel, the accused surrounded the defacto complainant, abused him in filthy language, assaulted him with over his hand and face and caused injuries to the defacto complainant and also snatched his ATM card, mobile phone and laptop. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is no way connected with the alleged offence. He would further submit that the petitioner has been in



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custody from 09.05.2024. He would further submit that co-accused in this case was released on bail and there is no previous case against the petitioner. He would also submit that the injured has been discharged from the hospital. He would also submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that due to previous enmity with regard to car accident, the petitioner along with the other accused, waylaid the defacto complainant, abused him in filthy language, assaulted him with hands and caused injuries to the defacto complainant. Further, the accused have snatched ATM card, mobile phone and laptop from the defacto complainant's car. He would further submit that investigation has been completed. He would further submit that there is no previous case against the petitioner and co-accused was released on bail and also the injured was discharged from the hospital. However, he vehemently opposed to grant bail to the petitioner.



5. Heard both side learned counsel and perused the materials available on record.

6. Considering the nature of offences charged against the petitioner and that the injured has been discharged from the hospital and that no previous case is pending against the petitioner and investigation was also completed and also taking into consideration the number of days of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the Petitioner is ordered to be released on bail on condition to execute 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 **District Munsif cum Judicial Magistrate, Gummidipoondi**, and on further conditions that;

[b] the Petitioner shall report before the jurisdictional Judicial Magistrate on all working days at 10.30 a.m., until further orders.

[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;



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P.DHANABAL,J.
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