



Crl.O.P.No.26254 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

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

Crl.O.P.No.26254 of 2024

B.Velu

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Thirumullaivoyal Police Station,
Chennai – 600 062.
(Crime No. 361 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.361 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.A.Vijayasankar

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

ORDER

The Petitioner, who was arrested and remanded to judicial custody
on 18.06.2024, for the alleged offences punishable under Sections 147, 149,



Crl.O.P.No.26254 of 2024

302 of IPC, in Crime No.361 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that, his son Ganesh was involved in murder case in the year 2019, for which he was imprisoned. On 17.06.2024 at about 11.45 p.m, due to previous enmity, the petitioner along with other accused assaulted the deceased with knife and committed murder. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that this is the second bail petition filed by the petitioner. He further submits 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 would further submit that the petitioner was arrested and is in judicial custody from 18.06.2024 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the deceased involved in murder case in the



CrI.O.P.No.26254 of 2024

year 2019, due to previous enmity, the petitioner along with other accused assaulted the deceased with knife and committed murder. He further submits that the petitioner has no previous case, pending against him. He further submits that investigation was completed and the charge sheet was also filed. Hence, he 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 nature of offence, considering the period of incarceration undergone by the petitioner from 18.06.2024, and the petitioner has no previous case, pending against him, investigation was completed and charge sheet was also filed 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 learned Judicial Magistrate Court, Ambattur and on further conditions that:-



Crl.O.P.No.26254 of 2024

[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 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



CrI.O.P.No.26254 of 2024

WEB COPY

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

22.10.2024

drl

To

- 1.The Judicial Magistrate Court,
Ambattur.
- 2.The Inspector of Police,
Thirumullaivoyal Police Station,
Chennai – 600 062.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.26254 of 2024

P.DHANABAL, J.

drl

Crl.O.P.No.26254 of 2024

22.10.2024