



WEB COPY



Crl.O.P.No.26193 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM

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

Crl.O.P.No.26193 of 2024

Saravanan @ anthony

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai.
(Crime No. 266 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.266 of 2024 on the file
of the respondent Police.

For Petitioner : M/s.S.Vedavalli

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 13.09.2024, for the alleged offence punishable under Sections 126(2), 296,



Crl.O.P.No.26193 of 2024

115(2), 125, 324(2), 311, 351(3) of BNS, 2023 in Crime No.266 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.09.2024 at about 20.00 hours, the petitioner along with other accused refused to pay the money after having tiffin from the defacto complainant's tiffin shop. When the defacto complainant demanded money, the accused threatened him and robbed Rs.2,500 from him at knife point. Hence, the case.

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 he is in judicial custody for more than 40 days 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 there are four accused in this case and the petitioner herein is arrayed as A1. He further submits that on the date of the



Crl.O.P.No.26193 of 2024

alleged occurrence, the petitioner along with other accused refused to pay the money after having tiffin from the defacto complainant's tiffin shop, threatened him and also robbed Rs.2,500 from him at knife point. He further submitted that the petitioner has 3 previous cases pending against him. However, 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, money involved in this case, and though the petitioner has 3 previous cases, all are not similar kind of offence, in all the cases, he has been released on bail, considering the period of incarceration undergone by the petitioner from 13.09.2024 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 XIV



Crl.O.P.No.26193 of 2024

Metropolitan Magistrate, Egmore, Chennai, and on further conditions that:-

[a] the petitioner shall report before the respondent police daily 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.26193 of 2024

WEB COPY

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

25.10.2024

drl

To

- 1.The XIV Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



WEB COPY



Crl.O.P.No.26193 of 2024

drl

Crl.O.P.No.26193 of 2024

25.10.2024