



CRL O.P. No.26277 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.10.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.26277 of 2024

Yuvaraj

... Petitioner / Accused - 2

Vs

State rep. by
The Inspector of Police,
E-3, Teynampet Police Station,
Chennai.
(Crime No.343 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.343 of 2024, on the file of the respondent.

For Petitioner : Mr.P.Surendran

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



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ORDER

The petitioner / A2, who was arrested and remanded to judicial custody on 12.09.2024 for the offence punishable under Sections 296(b), 308(2), 351(3) of BNS, 2023 and Section 3(1) of TNPPDL Act in Crime No.343 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 11.09.2024 at about 09.10 p.m., the petitioner along with other accused had broken the CCTV camera, which was fixed in the shop of the defacto complainant. When the defacto complainant questioned about the act of the accused, they threatened the defacto complainant and also extorted a sum of RS.250/-. 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 has been in custody for more than 40 days. He would further submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner along with other accused had broken the CCTV camera, which was fixed in the shop of the defacto complainant. When the defacto complainant questioned about the act of the accused, they threatened the defacto complainant and also extorted a sum of RS.250/-. He would further submit that are seven previous case as against the petitioner. Hence, 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 offence and the money involved in this case and considering the number of days of incarceration undergone by the petitioner and though the petitioner has seven previous cases, all the cases are not similar kind of offence and in all cases bail was granted, 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



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of the XVIII, Metropolitan Magistrate, Saidapet, and on further conditions that;

[b] the Petitioner shall report before the respondent police 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;

[e] the Petitioner 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 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

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

24.10.2024

smv



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To

- 1.The XVIII Metropolitan Magistrate, Saidapet.
- 2.The Inspector of Police,
E-3, Teynampet Police Station,
Chennai.
- 3.Central Prison, Puzhal – II, Chennai.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.

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