



Crl.O.P.No.26603 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.26603 of 2024

1. Jeevanandham

2. M. Yuvaraj @ Ragul

...Petitioners

Vs.

The State rep by
Rep by The Inspector of Police
Bagayam Police Station,
Vellore District
(Cr.No.432 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioners on bail in Crime No.432 of 2024 on the file of respondent police.

For Petitioners : Mr.M. Sathish Kumar

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 30.09.2024 for the offences under Sections 296(b), 118 (1) and 351(3) of BNS Act,2023 in Crime No.432 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant with regard to consuming of alcohol which ended in assault. Hence, the respondent police has registered a case against the petitioner.

3. Learned counsel for the petitioners submitted that the petitioner are innocent, they have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He would further submit that the petitioners are arrested and are in judicial custody from 30.09.2024 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.

4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that there was a wordy quarrel between the petitioners and the defacto complainant with regard to consuming of



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alcohol which ended in assault. He further submitted that injured discharged from the hospital and there is one previous case pending against the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the submission of the learned counsel on either side, nature of offence, considering the period of incarceration undergone by the petitioners, taking note of the fact that the injured was discharged from the hospital, even though the petitioners have some previous case, in that case bail was granted to the petitioners and also considering all others factors, I am inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are 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 No.I,Vellore,Vellore District and on



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further conditions that:

[a] the petitioners shall report before the respondent police everyday at 10.30 a.m until further orders.

[b] the petitioners shall attend in accordance with the conditions of the bond;

[c] the Petitioners 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 Petitioners 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 or tamper with the evidence;

[e] the Petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the



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petitioners 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.

25.10.2024

smn

To

- 1.The Judicial Magistrate No.I,Vellore,Vellore District
- 2.The Superintendent, Central Prison, Vellore, Vellore District
3. The Inspector of Police
Bagayam Police Station,
Vellore District
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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