



CRL O.P. No.26791 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.26791 of 2024

Arun Prasath

... Petitioner / A1

Vs

State rep. by
The Inspector of Police,
Kavundampalayam Police Station,
Coimbatore.

(Crime No.337 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.337 of 2024, on the file of the respondent.

For Petitioner : Mr.C.D.Sugumar

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



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30.09.2024. He would further 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) for the respondent would submit that the petitioner along with other accused were found in illegal possession of banned Kerala Lottery Tickets, with intention to sell them in Tamil Nadu. He would further submit that there are three previous cases pending as against the petitioner. Hence, he raised serious objection 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, though the petitioner is having three previous cases, already bail was granted in the cases and considering 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:



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[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 Learned Judicial Magistrate – I, Coimbatore, 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.

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To

- 1.The Judicial Magistrate – I, Coimbatore.
- 2.The Inspector of Police,
Kavundampalayam Police Station,
Coimbatore.
- 3.Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.

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