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CrI.O.P.No.27749 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.27749 of 2024

Karthick
S/o.Moghan

... Petitioner

Vs.

The State represented by
The Inspector of Police
P-6, Kodungaiyur Police Station
Kodungaiyur
Chennai
(Crime No.725 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioner on bail, in connection with Crime No.725 of 2024, on the file of the respondent Police.

For Petitioners : Mr.D.Padmanabhan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed by the Petitioner, who was arrested and remanded to judicial custody, seeking bail in Crime



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No.725 of 2024 registered under Section 304 (2) of BNS Act.

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2.The case of the prosecution as per the de facto complainant is that on 13.10.2024 at about 09.45 pm, the Petitioner along with another person had snatched the Defacto Complainant's Oppo A3 Pro mobile phone, while he was walking through Ezhil Nagar Railway Gate. Hence the case.

3.Learned Counsel appearing for the Petitioner submitted that the the Petitioner is an innocent person and he has been falsely implicated in this case for the statistical purpose alone. Hence, he prayed for grant of bail to the Petitioner stating that the Petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the Petitioner is the A2 in this case and there is no previous case pending against him, however, he objected for granting bail to the Petitioner.

5.Heard the learned Counsel appearing for the Petitioner and the



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learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.Taking into consideration the facts and the submissions made by the learned counsel on either side and also considering the fact that the Petitioner is the A2 in this case and there is no previous case pending against him, this Court is inclined to grant bail to the Petitioner with certain conditions.

7.Accordingly, the Petitioner is ordered to be released on bail on his executing separate bond each for a sum of **Rs.15,000/- (Rupees fifteen thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **X Metropolitan Magistrate, Egmore, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the Petitioner shall appear before the respondent police, everyday at 10.30 am and 05.30



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p.m., until further orders;

[c] the Petitioner shall not abscond either during investigation or trial;

[d] the Petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned 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 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]***;

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

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To

1.The X Metropolitan Magistrate,
Egmore, Chennai.

2. The Inspector of Police
P-6, Kodungaiyur Police Station
Kodungaiyur
Chennai

3. The Central Prison
Puzhal II
Chennai.

4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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