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Crl.O.P.No.28302 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

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

Crl.O.P.No.28302 of 2024

Chinnaraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
(Crime No.503 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.503 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Thamarai Selvan

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

ORDER

This Criminal Original Petition has been filed by the petitioner/A2, who was arrested and remanded to judicial custody on 17.10.2024, seeking bail in Crime No.503 of 2024 registered for the offence under Sections 318(3), 319(2), 318(4) of BNS.



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2. The case of the prosecution is that the accused, by pledging spurious jewels in the de facto complainant's shop, had obtained a sum of Rs.6,54,900/- from the de facto complainant on various occasions and cheated him. 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 also submitted that only for the statistical purpose, the respondent had arrested the petitioner in this case on 17.10.2024. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that the petitioner/A2 along with A1 had cheated the de facto complainant to the tune of Rs.6,54,900/-, by pledging purious jewels in his shop. He further submitted that no amount was recovered in this case and the investigation is still pending and the petitioner/A2 has no previous case.



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5. Heard the learned counsel appearing for the petitioner, the 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 considering the period of incarceration undergone by the petitioner, 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 a bond 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 **Judicial Magistrate cum District Munsif, Thiruvannainallur**, 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;



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[b] the petitioner shall report before the respondent Police, everyday at 06.30 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 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]***;

[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 Judicial Magistrate cum District Munsif,
Thiruvennainallur.
2. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
3. The Superintendent,
Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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