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Crl.O.P.No.28368 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2024

CORAM

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

Crl.O.P.No.28368 of 2024

1.Vijay
S/o.Ramu

2.Muhammad Rafi
S/o.Devabalan

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Tindivanam Police Station
Villupuram.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS to
enlarge the petitioners on bail, in connection with Crime No.587 of 2024 on
the file of the respondent Police.

For Petitioners : Ms.E.Brinda

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

O R D E R

This Criminal Original Petition has been filed by the petitioners,



2. The case of the prosecution is that the accused abused the de
complainant, who subsequently filed a complaint with the
ndent of Police. Coming to know about the same, the petitioner
d into the de facto complainant's house, threatened her and
d to outrage her modesty. Hence the case.

3.Learned Counsel appearing for the petitioners submitted that the the petitioners are innocent persons and have been falsely implicated in this case. He further submitted that the first petitioner is known to the de facto complainant and there were money transactions between them and the de facto complainant refused to return the money and filed a false complaint. He further submitted that the petitioner is in custody from 21.10.2024 and the major part of the investigation has been completed. Hence, he prayed for grant of bail to the petitioners stating that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.



CrI.O.P.No.28368 of 2024

WEB COPY

4.Learned Government Advocate (CrI. Side) appearing for the respondent police while opposing for the grant of bail to the petitioners submitted that due to previous enmity between the petitioners and the de facto complainant, the petitioners trespassed into the house of the de facto complainant and threatened her. As a result, complaint was lodged with the Superintendent of Police. Upon learning of the complaint, the petitioners trespassed into the de facto complainant's house again, threatened her and attempted to outrage her modesty.

5.Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (CrI. 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 sides and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.



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Crl.O.P.No.28368 of 2024

7. Accordingly, the petitioners are ordered to be released on bail on their 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 No.I, Tindivanam** 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 petitioners shall stay at Ranipet and appear before the Inspector of Police, SIPCOT Police Station, Ranipet, everyday at 10.30 a.m., until further orders;

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

[d] the petitioners 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



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Cr1.O.P.No.28368 of 2024

can be registered under Section 269 B.N.S.

18.11.2024

sai

To

1.The Judicial Magistrate No.I,
Tindivanam

2.The Superintendent,
Tindivanam Sub Jail

3.The Inspector of Police,
Tindivanam Police Station
Villupuram.

4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.
sai

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