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CrI.O.P.No.28507 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

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

CrI.O.P.No.28507 of 2024

Sathish

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Manimangalam Police Station,
Kanchipuram District.
(Crime No.372 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Crime No.372 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Magesh

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

ORDER

This Criminal Original Petition has been filed by the petitioner/A1, who was arrested and remanded to judicial custody on 01.11.2024, seeking bail in Crime No.372 of 2024 registered for the offence under Sections 109(1), 118(1), 126(2), 296(b) and 351(3) of BNS.



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2. The case of the prosecution is that due to previous enmity, the accused had waylaid the de facto complainant's son/victim, abused him in filthy language and assaulted him with knife causing injuries and escaped from the spot. 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 due to previous enmity, a false complaint has been given against him. He further submitted that the petitioner, who is in custody from 01.11.2024, 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/A1 along with accused, due to previous enmity, had attempted to murder the de facto complainant's son, by assaulting him with knife. He further submitted that the injured has been discharged from the hospital and the major part of the investigation is over. He also submitted that there is no previous case against the petitioner.



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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 also considering the fact that the injured has been discharged from the hospital, 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, Sriperumbudur**, 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 stay at Tindivanam and report before the Inspector of Police, Tindivanam Town Police Station, everyday at 10.30 a.m., until further orders;



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[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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

14.11.2024

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To

1. The Judicial Magistrate,
Sriperumbudur.
2. The Inspector of Police,
Manimangalam Police Station,
Kanchipuram District.
3. The Superintendent,
Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Tindivanam Town Police Station,
Tindivanam.



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A.D.JAGADISH CHANDIRA., J.

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