



Crl.O.P.No.29025 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

CORAM

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

Crl.O.P.No.29025 of 2024

Karthik

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.
(Crime No.234 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail, in connection with the Crime No.234 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Vinoth Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.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.234 of 2024 registered for the offence under Sections 296(b), 329(4), 115(2), 124(2) and 351 (3) of BNS.



Crl.O.P.No.29025 of 2024

WEB COPY

2. The case of the prosecution as per the de facto complainant is that since the de facto complainant was in a relationship with one Senthil, who is the brother of the petitioner herein/A1, A1 along with his sister and mother/A2 & A3, had trespassed into the house of the de facto complainant, abused her in filthy language and hurled acid on the floor, during which, some drops scattered on the de facto complainant and her friend causing injuries. 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 further submitted that the de facto complainant is a married woman living separately, during such time, she developed an affair with the brother of the petitioner and the same was not encouraged by the petitioner and his family members, thereby, the de facto complainant had given an exaggerated complaint against the petitioner and others. He also submitted that the petitioner is in custody from 01.11.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail.



Crl.O.P.No.29025 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that due to previous enmity, the petitioner/A1 and other accused had trespassed into the de facto complainant's house and quarreled with her, during such time, they had hurled acid on the floor, in which, the de facto complainant and her friend sustained injuries. He further submitted that there is no previous cases against the petitioner.

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 circumstances of the case, the submissions made by the learned counsel on either side and taking note of 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**



Crl.O.P.No.29025 of 2024

only) with two sureties, each for a like sum to the satisfaction of the learned

XXIII Metropolitan Magistrate, Saidapet, 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 report before the respondent Police, everyday at 06.30 p.m., for a period of two weeks and thereafter, every Saturday at 10.30 a.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]*;



Crl.O.P.No.29025 of 2024

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

21.11.2024

ham

To

1. The XXIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal - II.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.29025 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.29025 of 2024

21.11.2024