



WEB COPY



Crl.O.P.No.29691 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM

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

Crl.O.P.No.29691 of 2024

Lokesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
D3 Kanakammachatiram Police Station,
Thiruvallur
(Crime No.713 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.713 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Harikrishnan

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

ORDER

Petition seeking bail in respect of Crime No.713 of 2024 registered for the offences punishable under Sections 329(4), 108 of BNS, 2023 and Section 4 of Prohibition of Harassment of Women Act, 2002 is on board for consideration.

2. The incarceration of the petitioner being from 31.10.2024 pleading



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innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that, there was a love affair between the petitioner and the victim girl and it was objected by the family members, due to which, they attempted to commit suicide, unfortunately, petitioner was saved and the victim girl has died. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner had one side love affair with the deceased victim, whileso, petitioner had gone to the house of the victim girl and abused her in filthy language and that she got frustrated and committed suicide by consuming 60 folic acid tablets. He further submit that, major part of the investigation is over.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the



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materials available on record, and taking note of the nature of allegation, this court is inclined to grant bail to the petitioner with certain conditions and 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, Tiruttani**, 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 Dindivanam and report before the Inspector of Police, Dindivanam Town Police Station everyday at 10.30.a.m., for a period of four weeks and thereafter report before the respondent police on every Saturday 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



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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 of B.N.S.

27.11.2024

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To

1. Judicial Magistrate, Tiruttani
2. The Inspector of Police,
D3 Kanakammachatiram Police Station,
Thiruvallur
3. The Sub Jail,
Tiruttani
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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