



Crl.O.P.No.29688 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.29688 of 2024

1. Suriya

2. Ananth

... Petitioners

Vs.

The State represented by,
The Station House Officer,
Neyveli Township Police Station,
Cuddalore District.

(Crime No.318 of 2024).

... Respondent

Prayer : Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.318 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.K.Murugesan

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

ORDER

Petition seeking bail in respect of Crime No.318 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 118(1), 351(3) and 109 of BNS, is on board for consideration.



CrI.O.P.No.29688 of 2024

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2. The incarceration of the petitioners being from 12.11.2024 pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seeks indulgence of this Court. He also submits that due to previous enmity and in order to keep the petitioners under fetters, the respondent had foisted the present case against the petitioners and others. He further submits that the petitioners are 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 petitioners along with two other accused had waylaid the de facto complainant and his brother when they were coming in a two wheeler, abused them in filthy language and assaulted them with iron rod and machete causing injuries. He further submits that the petitioners are arrayed as A3 and A4, against whom, several cases are pending and the investigation in this case is still pending. He also submits that the injured have been discharged from the hospital.

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



CrI.O.P.No.29688 of 2024

materials available on record, and considering the nature of allegation, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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 **District Munsif cum Judicial Magistrate, Neyveli**, 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 Vellore and report before the Inspector of Police, Vellore South Police Station, 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***



CrI.O.P.No.29688 of 2024

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[(2005)AIR SCW 5560];

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

27.11.2024

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CrI.O.P.No.29688 of 2024

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To

1. The District Munsif cum Judicial Magistrate,
Neyveli.
2. The Station House Officer,
Neyveli Township Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Vellore South Police Station,
Vellore.



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Crl.O.P.No.29688 of 2024

A.D.JAGADISH CHANDIRA.,J.

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Crl.O.P.No.29688 of 2024

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