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Crl.O.P.Nos.29668 & 29677 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.Nos.29668 & 29677 of 2024

K.Kalaiarasan

... Petitioner in Crl.O.P.No.29668 of 2024

1. N.Nagendran

2. P.Mugesh Kannan

3. R.Aswin

... Petitioners in Crl.O.P.No.29677 of 2024

Vs.

The State represented by,  
The Inspector of Police,  
Thirumangalam Police Station,  
Anna Nagar, Chennai.

(Crime No.510 of 2024).

... Respondent in both Crl.O.Ps.

**Common Prayer :** Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.510 of 2024, pending investigation on the file of the respondent Police.

In both Crl.O.Ps.,

For Petitioners : Mr.R.Thamarai Selvan

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



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### **COMMON ORDER**

Petition seeking bail in respect of Crime No.510 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 126(2), 118(1), 109(1) and 351(3) of BNS, is on board for consideration.

2. The incarceration of the petitioners being from 16.09.2024 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 further submits that the petitioners are no way connected with the alleged offence, whereas, due to previous enmity, the de facto complainant had given a false complaint against the petitioners. He also submits that the detention orders passed against the A1 and A2 were also revoked by this Court and 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 due to the previous enmity, the petitioners along with other accused waylaid the de facto complainant, abused him in filthy language and attempted to



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murder him by assaulting with knife. He further submits that the investigation is still pending in this case and the injured has been discharged from the hospital. He also submits that the petitioners herein are arrayed as A1 to A3 and A6 respectively and further, five previous cases are pending against A1 and A2 and there is no previous case against accused 3 and 6.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and considering and also considering the period of incarceration undergone by the petitioners and that the injured has been discharged from the hospital, 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 **XIII Metropolitan Magistrate, Egmore**, 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;



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**[b] the petitioners shall report before the respondent Police, everyday at 06.30 p.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 can be registered under Section 269 of B.N.S.

**27.11.2024**

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To

1. The XIII Metropolitan Magistrate,  
Egmore.
2. The Inspector of Police,  
Thirumangalam Police Station,  
Anna Nagar, Chennai.
3. The Superintendent,  
Central Prison,  
Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA.,J.**

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