



WEB COPY



Crl.O.P.No.30035 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM

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

Crl.O.P.No.30035 of 2024

Ram @ Ramkumar

... Petitioner

Vs.

The State represented by,
The Station House Officer,
D.Nagar Police Station,
Puducherry.
(Crime No.216 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.216 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Murugavel

For Respondent : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)

ORDER

Petition seeking bail in respect of Crime No.216 of 2024 registered for the offences punishable under Sections 310 (4) & 310 (5) of BNS and Section



Crl.O.P.No.30035 of 2024

27(1) of Arms Act, is on board for consideration.

2. The incarceration of the petitioner/A2 being from 09.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is in no way connected with the alleged offence and the present case has been foisted only for the statistical purpose. He further submits that the co-accused in this case has been granted bail by this Court in Crl.O.P.No.29106 of 2024 dated 21.11.2024 and 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 Public Prosecutor (Puducherry) appearing for the respondent police, opposing for grant of bail, is that when the respondent and his team were on their regular patrol duty, they have seen that the accused had assembled together with weapons and were making preparation for committing dacoity. He also submits that eight previous cases are pending against the petitioner and the case is under investigation.

4. Having heard the learned counsel for the petitioner and the learned



Crl.O.P.No.30035 of 2024

Public Prosecutor (Puducherry) for the respondent Police and perused the materials available on record including the counter filed by the respondent, and taking note of the nature of allegation and the period of incarceration, 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 No.I, Puducherry**, 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., 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



CrI.O.P.No.30035 of 2024

WEB COPY

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.

06.12.2024

ham



Crl.O.P.No.30035 of 2024

WEB COPY

To

1. The Judicial Magistrate No.I,
Puducherry.
2. The Station House Officer,
D.Nagar Police Station,
Puducherry.
3. The Superintendent,
Central Prison,
Kalapet, Puducherry.
4. The Public Prosecutor (Puducherry),
High Court of Madras.



WEB COPY



Crl.O.P.No.30035 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.30035 of 2024

06.12.2024