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Crl.O.P.No.30218 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

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

Crl.O.P.No. 30218 of 2024

1. Manikandan
2. Vignesh ... Petitioners

Vs.

The State represented by
The Inspector of Police,
D-3, Ice House Police Station,
(Crime No. 310 of 2024) ... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/accused on bail in
Crime No. 310 of 2024 pending on the file of the respondent Police.

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

ORDER

Petition seeking bail in respect of Crime No.310 of 2024 registered
for the offences punishable under Sections 331(5) and 305 of BNS, is on board
for consideration.



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2.The incarceration of the petitioners being from 05.11.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that the petitioners are no way connected with the alleged offences and they 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 on 30.10.2024, the petitioners along with others had stolen the AC-Outdoor unit from the de facto complainant's school. He further submits that there is one previous case against the petitioners.

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, 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 a separate 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 II Metropolitan Magistrate at Egmore, and on further conditions that:



Crl.O.P.No.30218 of 2024

WEB COPY

[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 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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

04.12.2024

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Crl.O.P.No.30218 of 2024

A.D.JAGADISH CHANDIRA., J.

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To

1. The II Metropolitan Magistrate,
Egmore.
2. The Inspector of Police,
D-3, Ice House Police Station
3. The Superintendent,
Puzhal Prison II, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.30218 of 2024

04.12.2024