



Crl.O.P.No.30313 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.12.2024**

CORAM

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

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1.Vignesh @ Kulla

2.Karan @ Karan Kumar

... Petitioners

Vs.

The State, rep. by
Inspector of Police
F-5, Choolaimedu Police Station
Chennai 94.
[Crime No.602 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.602 of 2024**, pending investigation on the file of the respondent Police.

For Petitioners : Mr.P.Surendran

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



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ORDER

Petition seeking bail in respect of Crime No.602 of 2024 registered for the offences punishable under Sections 191(2), 126(2), 296(b), 115(2), 309(4), 311 and 351(3) of BNS is on board for consideration.

2. The incarceration of the petitioners being from 19.11.2024 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 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 19.11.2024, the petitioners along with other accused waylaid the de facto complainant and threatened him with a knife, snatched his mobile phone and forced him to transfer a sum of Rs.800/- via google pay from the mobile phone of the de facto complainant to their account. He further submits that there are three previous cases pending against the first petitioner and one previous case pending against the second petitioner.



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4. Having heard the learned counsel for the petitioners, 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 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 **XVII Metropolitan Magistrate, Saidapet**, 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 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



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

05.12.2024

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To

1. The XVII Metropolitan magistrate, Saidapet
2. Inspector of Police F-5,
Choolaimedu Police Station
Chennai 94
3. The Superintendent,
Central Prison II,
Chennai
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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