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CrI.O.P.No.30359 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.12.2024**

CORAM

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

CrI.O.P.No.30359 of 2024

Syed Shabeer @ Sameer

... Petitioner

Vs.

The State rep. by,
The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
(Crime No. 556 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.556 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.P.Saravanan

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

ORDER

Petition seeking bail in respect of **Crime No.556 of 2024** registered for the offences punishable under Sections **341, 342, 355, 294(b), 323, 324, 506(ii) and 384 of IPC**, is on board for consideration.



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2. The incarceration of the petitioner being from 24.11.2024 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 would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the defacto complainant along with his friend proceeding in a two wheeler near Krishnagiri, Maharajakadai road, at that time, the petitioner/A2 along with other accused intercepted the defacto complainant and took him to the petitioner's house where they compelled the defacto complainant to remove his dress, and compelled him to spread rumours regarding one Vinupriya and when he had denied, the accused had assaulted him with wooden log and using cutting plier in his private part and took a video of the above activities, later they demanded Rs.50,000/-.

4. Having heard the learned counsel for the petitioner, 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 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**



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only) with two sureties, each for a like sum to the satisfaction of the learned

Judicial Magistrate-I, Krishnagiri, 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 10.30 a.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 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.

05.12.2024

dsn



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A.D.JAGADISH CHANDIRA.,J.

dsn

To

1. The Judicial Magistrate-I, Krishnagiri.
2. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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