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CrI.O.P.No.30498 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM

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

CrI.O.P.No. 30498 of 2024

1. Sakthivel
2. Subash
3. Sakthivel @ Saravanan
4. Praburaj

... Petitioners

Vs.

State rep. by its
Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
(Cr.No.231 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/accused on bail
concerned in Crime No.231 of 2024 on the file of Inspector of Police, Neyveli
Thermal Police Station, Cuddalore District.

For Petitioners : Mr.A.T. Anbukumar

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



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ORDER

Petition seeking bail in respect of Crime No. 231 of 2024 registered for the offences punishable under Section 310(4) of BNSS is on board for consideration.

2.The incarceration of the petitioners being from 29.10.2024 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 when the respondent Police were on regular patrol duty, near Peday Bazar, they found the petitioners planning to commit robbery during Deepavali time and on seeing the Police, they tried to ran away. He further submits that the first petitioner has ten previous cases and petitioners 3 & 4 have three previous cases against them.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the



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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**, (out of which, one surety should be a blood related surety) each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Neyveli, Cuddalore District, 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 conditions have been imposed and the petitioners released on



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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

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A.D.JAGADISH CHANDIRA., J.

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To

1. The District Munsif cum Judicial Magistrate, Neyveli,
Cuddalore District.
2. The Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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