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CrI.O.P.No.30659 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

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

CrI.O.P.No.30659 of 2024

Shyam

... Petitioner

Vs.

The State Rep. by
The Inspector of Police
T-11, Thirunindravur Police Station
(Cr.No.484 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in T-11 P.S Crime No.484 of 2024, on the file of the respondent police.

For Petitioner : Mr.V.Suresh

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

ORDER

Petition seeking bail in respect of Crime No.484 of 2024 registered for the offence punishable under Sections 126(2), 296(b), 115(2), 311, 125, 324(4) & 351(3) of BNS is on board for consideration.

2.The incarceration of the petitioner being from 03.11.2024 pleading



Cr1.O.P.No.30659 of 2024

innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is no way connected with the alleged offences and he 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 Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that on 03.11.2024, when the de facto complainant was walking along PH Road near GP Homes layout, the petitioner along with another person waylaid him, abused him with filthy language, assaulted him and at the knife point forcible took a sum of Rs.4,000/- from him. He further submits that there are five previous cases against the petitioner and a sum of Rs.2,000/- was recovered from the petitioner.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, 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** (out of the two sureties one should be either Mother or



CrI.O.P.No.30659 of 2024

Father of the petitioner), each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thiruvallur, 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 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.

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CrI.O.P.No.30659 of 2024

A.D.JAGADISH CHANDIRA., J.
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To

1.The Judicial Magistrate No.II, Thiruvallur

2.The Inspector of Police
T-11, Thirunindravur Police Station

3.The Superintendent,
Central Prison II, Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.30659 of 2024

09.12.2024