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Crl.O.P.No.30576 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

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

Crl.O.P.No.30576 of 2024

Vasudevan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai.
(Crime No.275 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.275 of 2024, pending investigation on the file of
the respondent Police.

For Petitioner : Mr.M.Krishen

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

ORDER

Petition seeking bail in respect of Crime No.275 of 2024 registered
for the alleged offences punishable under Sections 115(2), 125, 126(2),
296(b), 309(2) r/w Sections 311 & 351(3) of BNS, is on board for
consideration.



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2. The incarceration of the petitioner/A2 being from 26.11.2024 pleading 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 has not committed any offence as alleged by the prosecution, whereas, he has been implicated in this case, since he has several previous cases and also to keep him under fetters. He also submits 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 the de facto complainant is running a Tea shop and on 26.11.2024, when he had questioned the accused for not paying the money after buying cigarette, the accused had abused the de facto complainant in filthy language, assaulted him with hands and by intimidating him at knife point, robbed a sum of Rs.2000/- from him. He also submits that the petitioner is a history sheeter, against whom, 11 previous cases are pending.

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



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perused the materials available on record, and also 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**, each for a like sum to the satisfaction of the learned **23rd Metropolitan Magistrate, Saidapet, Chennai**, 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



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A.D.JAGADISH CHANDIRA., J.

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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.

09.12.2024

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To

1. The 23rd Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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