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Crl.O.P.No.30761 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

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

Crl.O.P.No.30761 of 2024

Govindhan

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
Aminjikarai Police Station,  
Anna Nagar, Chennai.

(Crime No.634 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.634 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Prabhu

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

### **ORDER**

Petition seeking bail in respect of Crime No.634 of 2024 registered for the offences punishable under Sections 296(b), 132 and 103 of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 24.10.2024 pleading innocence on the part of the petitioner, aged about 54 years, and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that since the deceased, who was working as a Conductor in a Government bus, had abused and misbehaved with the petitioner and his wife, there was a quarrel between the petitioner and the deceased, during such time, both of them attacked each other and sustained injuries. He also submits that the incident had happened only during the quarrel and other than that, there is no intention or motive on the part of the petitioner to cause the death of the deceased. 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 putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that there was a dispute between the petitioner and the victim/deceased, who was working as a Conductor, and in which, both the deceased and the petitioner sustained injuries and when both of them were taken to the hospital, the victim was declared dead. He further submits that the investigation in this case is still pending.



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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 facts of the case and 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 **V Metropolitan Magistrate, Egmore, 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 10.30 a.m., for a period of two weeks and thereafter, every Saturday 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;



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**A.D.JAGADISH CHANDIRA.,J.**

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[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.

**10.12.2024**

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To

1. The V Metropolitan Magistrate,  
Egmore, Chennai – 8.
2. The Inspector of Police,  
Aminjikarai Police Station,  
Anna Nagar, Chennai.
3. The Superintendent,  
Central Prison,  
Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.

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