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CrI.O.P.No.30809 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

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

CrI.O.P.No.30809 of 2024

Vijay

... Petitioner

Vs.

The State

rep. by its Inspector of Police,
M-8, Sathangadu Police Station,
Thiruvottiyur,
Chennai.

(Crime No. 468 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection
with Crime No. 468 of 2024 on the file of the respondent Police.

For Petitioner : Mr.D. Padmanabhan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

Petition seeking bail in respect of Crime No.468 of 2024 registered for
the offences punishable under Sections 126(2), 296(b), 115(2), 118, 309(2), 311,
125, 351(3) of BNS is on board for consideration.

2.The incarceration of the petitioner being from 28.10.2024 pleading



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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, only to keep him under fetters and to detain him under Act 14, this case has been foisted against him. 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 Additional Public Prosecutor appearing for the respondent police, opposing for grant of bail, is that the petitioner along with other accused is said to have demanded money from the de facto complainant and when he refused to give the same, he was attacked and robbed of a sum of Rs.550/-. He further submits that there are fourteen previous cases against the petitioner.

4.Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record, including the copy of FIR 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**, each for a like sum to the satisfaction of the



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learned Judicial Magistrate, Thiruvottiyur, Chennai 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 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.

11.12.2024

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A.D.JAGADISH CHANDIRA., J.
sai

To

1. The Judicial Magistrate,
Thiruvottiyur, Chennai District.
2. The Inspector of Police,
M-8, Sathangadu Police Station,
Thiruvottiyur,
Chennai.
3. The Superintendent,
Central Prison, Puzhal II,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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