



WEB COPY



Crl.O.P.No.30767 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM

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

Crl.O.P.No.30767 of 2024

Prabakaran

... Petitioner

Vs.

State rep. by
Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.
(Crime No. 639 of 2024)

... Respondent

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

For Petitioner : Mr.P. Muthamizh Selvakumar

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

ORDER

Petition seeking bail in respect of Crime No. 639 of 2024 registered for
the offence punishable under Section 303(2) of BNS, 2023 is on board for
consideration.



CrI.O.P.No.30767 of 2024

WEB COPY

2.The incarceration of the petitioner being from 12.11.2024 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 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 the petitioner's vehicle was used for transporting one of the cows, which went missing from the farm of the de facto complainant to Vandalur Market. He further submits that the petitioner has three previous cases against him. He further submits that charge sheet has been filed before the learned Judicial Magistrate I, Viruthachalam.

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**, each for a like sum to the satisfaction of the learned



Crl.O.P.No.30767 of 2024

Judicial Magistrate I, Viruthachalam, 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 learned Judicial Magistrate I, Viruthachalam, on all working days 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;

[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

sai



WEB COPY



CrI.O.P.No.30767 of 2024



WEB COPY



Crl.O.P.No.30767 of 2024

A.D.JAGADISH CHANDIRA., J.

sai

To

1. The Judicial Magistrate Court No.I,
Viruthachalam.
2. The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.30767 of 2024

10.12.2024