



WEB COPY



CrI.O.P.No.30877 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. 30877 of 2024

S. Sathyaraj

... Petitioner

Vs.

The State of Tamil Nadu,
rep. by Inspector of Police,
Thiruvannainallur Police Station,
Villupuram District.
(Cr. No. 939 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. 939 of 2024 on the file of the Thiruvannainallur Police Station, Villupuram District pending trial.

For Petitioner : Mr.M. Devaraj

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

Petition seeking bail in respect of Crime No. 939 of 2024 registered for the offences punishable under Sections 303(2) and 326(a) of BNS is on board for consideration.

2.The incarceration of the petitioner being from 18.11.2024 pleading



CrI.O.P.No.30877 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, without prejudice to the defence and contention, is ready and willing to deposit a sum of **Rs.2,000/-** to any welfare scheme of the Government or any other organization. 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 found to be illegally transported $\frac{1}{4}$ unit of river sand in a bullock cart without necessary permit.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.2,000/- (Rupees two Thousand only)** to the credit of the "**District Legal Services Authority, Villupuram District.**" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5.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 and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain



Cr1.O.P.No.30877 of 2024

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 District Munsif cum Judicial Magistrate, Thiruvennainallur, 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.



WEB COPY

sai



CrI.O.P.No.30877 of 2024

11.12.2024



WEB COPY



CrI.O.P.No.30877 of 2024

A.D.JAGADISH CHANDIRA., J.

sai

To

1. The District Munsif cum Judicial Magistrate,
Thiruvennainallur.
2. The Inspector of Police,
Thiruvennainallur Police Station,
Villupuram District.
3. The Superintendent,
Central Prison at Vedampattu,
Villupuram.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.30877 of 2024

11.12.2024