



WEB COPY



CRL.O.P.No.31017 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2024

CORAM:

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

CRL.O.P.No.31017 of 2024

Sarathi

... Petitioner

Versus

State Rep. by,
Inspector of Police,
T4 Madhuravoyal Police Station,
Chennai.

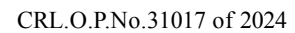
... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Cr.No.1287 of 2024 pending investigation before the respondent.

For Petitioner	:	Mr.M.Soundar Vijay Arul Ram
For Respondent	:	Mr.Leonard Arul Joseph Selvam Government Advocate (Crl. Side)

ORDER

Petition seeking bail in respect of Crime No.1287 of 2024 registered for the offences punishable under Sections 123 & 278 of BNS



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, the learned counsel for the petitioner seeks indulgence of this Court. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He is ready to abide by any stringent conditions 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 defacto complainant was given Tydol tablets by the petitioner and other accused having injected him through syringes.



CRL.O.P.No.31017 of 2024

WEB COPY

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 also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, he 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 (out of which, one of the sureties should be either the father or mother of the petitioner), each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Poonamallee, 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 daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



WEB COPY



CRL.O.P.No.31017 of 2024

[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.

12.12.2024

vv2



CRL.O.P.No.31017 of 2024

WEB COPY

- To
- 1.The Judicial Magistrate No.II,
Poonamallee.
 - 2.The Inspector of Police,
T4 Madhuravoyal Police Station,
Chennai.
 - 3.The Superintendent,
Central Prison-II, Puzhal, Chennai.
 - 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



CRL.O.P.No.31017 of 2024

A.D.JAGADISH CHANDIRA, J.

vv2

Crl.O.P.No.31017 of 2024

12.12.2024