



Crl.O.P.No.30919 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30919 of 2024

Sakthivel

C/o.Ramesh, No.6/250, Jeeva Nagar, 4th Street, Pareri,
Singaperumalkoil, Kancheepuram District.

Petitioner(s)

Vs

State Rep. By

The Sub-inspector Of Police, Chengalpattu Taluk
Police Station, Chengalpattu. (crime No.779 Of 2024)

Respondent(s)

For Petitioner(s):

R.Parthiban

R.Rajadurai

M.Shimiyon Edwin

P.Agnes Samantha Ophelie

For Respondent(s):

Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.779 of 2024 registered for the offences punishable under Section 311 of BNS, the present petition has been filed by the petitioner seeking anticipatory bail.



2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court.

He further submits that the petitioner, who is only 19 years old, is not a named accused and he is only a friend of A5. However, he is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the defacto complainant and his roommates were returning from night shift at 01.30 a.m., the accused persons, in a drunken state, waylaid the defacto complainant and demanded money at knife point. When the same was refused, the accused persons attacked the defacto complainant and robbed them of 6 cell phones, worth about Rs.60,000/-. He further submitted that the cell phones are not recovered yet. However, there are no previous cases against the petitioner.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail



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to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Chengalpattu**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with **two sureties, of which one shall be the mother of the petitioner**, each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 tamper with evidence or witness either during investigation or trial.

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Anu



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[d] the petitioner shall not abscond 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

12.12.2024

Anu

To

1. The Judicial Magistrate-II, Chengalpattu
2. The Sub-inspector Of Police, Chengalpattu Taluk Police Station, Chengalpattu

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