



CRL OP NO.30883 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30883 of 2024

Dinesh Kumar

Petitioner(s)

Vs

State rep. by

The Inspector of Police,

Sholavaram Police Station,

Thiruvallur District.

Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 482 of BNSS Act, pleaded to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.1148 of 2024, on the file of the Inspector of Police, Sholavaram Police Station, Thiruvallur District, on such terms and conditions.

For Petitioner(s):

P.Chandra Sekar

For Respondent(s):

S.Santhosh

Government Advocate (Crl. Side)

ORDER



offences punishable under Sections 305(a), 331(4) B.N.S. Act, the present petition has been filed seeking anticipatory bail.



WEB COPY

2.The case of the prosecution is that the petitioner along with others stolen household article and gold jewellery from defacto complainant's house. Hence, the case.

3.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner along with others stolen household article and gold jewellery from defacto complainant's house and the said articles have been recovered. A2 and A3 are still in custody. He would further submit that there is no previous case as against the petitioner.

<https://www.mhc.tn.gov.in/judis> 5.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, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner 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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Tiruvallur, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 Section 269 of B.N.S.

11-12-2024

To

1.Judicial Magistrate II, Tiruvallur.

2.The Inspector of Police,

Sholavaram Police Station, Thiruvallur District.

A.D.JAGADISH CHANDIRA, J.

ah



WEB COPY

CRL OP NO. 30883 of 2024



11.12.2024