



Crl.O.P.Nos.31027 & 31041 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2024

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

Crl.O.P.Nos.31027 & 31041 of 2024

Santhosh Kumar @ Santhosh ... Petitioner in Crl.O.P.No.31027 of 2024

Manigandan ... Petitioner in Crl.O.P.No.31041 of 2024

Vs.

The State represented by,
The Inspector of Police,
Vellavedu Police Station,
Tiruvallur District.

(Crime No.554 of 2024). ... Respondent in both Crl.O.Ps.

Common Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleased to enlarge the petitioners on bail, in connection with Crime No.554 of 2024, pending investigation on the file of the respondent Police.

In both Crl.O.Ps.,

For Petitioners : Mr.A.J.Magendiraverman
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

COMMON ORDER

Petition seeking bail in respect of Crime No.554 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 115(2), 109 & 351(3) of BNS, is on board for consideration.



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2. The incarceration of the petitioners/A2 & A3 being from 21.11.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that due to previous enmity, a false complaint has been lodged against the petitioners. He further submits that the petitioners are 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 there exists a dispute between the de facto complainant's husband and the accused with regard to the sand quarrying business and due to which, on the alleged date of occurrence, the accused had waylaid the de facto complainant's husband and attempted to murder him. He also submits that the major part of the investigation is over and two previous cases are pending against each petitioner.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the facts of the case and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions and



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accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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 **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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;



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A.D.JAGADISH CHANDIRA.,J.

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[f] If the accused thereafter abscond, a fresh FIR can
be registered under Section 269 of B.N.S.

12.12.2024

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To

1. The Judicial Magistrate No.II,
Poonamallee.
2. The Inspector of Police,
Vellavedu Police Station,
Tiruvallur District.
3. The Superintendent,
Central Prison -II, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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