



WEB COPY



Crl.O.P.No.31271 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

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

Crl.O.P.No.31271 of 2024

Rajesh @ Gnani

... Petitioner

Vs.

State represented by its
Inspector of Police,
V-3, J.J.Nagar Police Station,
Anna Nagar.
(Cr.No.771 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the above
Cr.No.771 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.Senthilvel

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side.)

ORDER

Petition seeking bail in respect of Crime No.771 of 2024 registered for
the offences punishable under Sections 310(4) of BNS r/w. Section 25 (1A) of
Arms Act, is on board for consideration.

2.The incarceration of the petitioner being from 19.11.2024 pleading
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



Cr1.O.P.No.31271 of 2024

earlier the petitioner was detained under Act 14 and later the said order of detention was quashed by this Court in H.C.P.No.1916 of 2024 dated 23.10.2024. He also submits that the petitioner is no way connected with the alleged offences and he 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 Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner along with other accused was found to have been possessing lethal weapons and planning to commit dacoity. He further submits that there are no previous cases against the petitioner.

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 considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain 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**, (out of which, one surety should be a blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambattur and on further conditions that:



WEB COPY



Cr1.O.P.No.31271 of 2024

[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., for a period of one week and thereafter, on every Saturday 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.

16.12.2024

sai



WEB COPY



CrI.O.P.No.31271 of 2024

A.D.JAGADISH CHANDIRA, J.
sai

To

1.The Judicial Magistrate, Ambattur

2.The Inspector of Police,
V-3, J.J.Nagar Police Station,
Anna Nagar.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.31271 of 2024

16.12.2024