



Crl.O.P.No.31254 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.31254 of 2024

1. Kamaraj

2. Pratheepkumar

... Petitioners

Vs.

The State represented by,  
The Station House Officer,  
Mandharakuppam Police Station,  
Cuddalore District.  
(Crime No.204 of 2024).

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.204 of 2024, pending investigation on the file of the respondent police.

For Petitioners : Mr.A.Anandharaj

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

### **ORDER**

Petition seeking bail in respect of Crime No.204 of 2024 registered for the offence punishable under Section 303(2) of BNS and later altered into Sections 303(2), 336 and 318(4) of BNS, is on board for consideration.



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2. The incarceration of the petitioners being from 28.11.2024 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 further submits that the petitioners are in no way connected with the alleged offence, however, they have been implicated in this case only based on the confession statement recorded from the other accused. He also 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 the accused had committed theft of the de facto complainant's two wheeler. He further submits that during course of investigation, it came to light that the accused had conspired together, committed theft of two wheelers and by creating forged documents, involved in selling the same and cheating the public. He also submits that the petitioners/A5 & A6 have also assisted the main accused in this case. He further submits that the investigation in this case is still pending and there is no previous case against the petitioners.



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4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering that there is no previous case against the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and 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 **District Munsif cum Judicial Magistrate, Neyveli**, 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;



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**A.D.JAGADISH CHANDIRA.,J.**

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[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]***;

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

**16.12.2024**

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To

1. The District Munsif cum Judicial Magistrate,  
Neyveli.
2. The Station House Officer,  
Mandharakuppam Police Station,  
Cuddalore.
3. The Superintendent,  
Central Prison, Cuddalore.
4. The Public Prosecutor,  
High Court of Madras.

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