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Crl.O.P.No.31551 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

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

Crl.O.P.No.31551 of 2024

1. Dinesh Babu

2. Manigandan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
E3, Teynampet Police Station,
Chennai - 18.
(Crime No.503 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.503 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.P.Surendran

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

ORDER

Petition seeking bail in respect of Crime No.503 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 309(4), 311 and 351(3) of BNS, is on board for consideration.



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2. The incarceration of the petitioners being from 06.12.2024 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 the petitioners are in no way connected with the alleged offence, however, they have been implicated in this case, since they have several previous cases. He further submits that the co-accused has been enlarged on bail by this Court in Crl.O.P.No.31416 of 2024 dated 17.12.2024 and 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 when the de facto complainant, who is running a grocery shop, had refused to give mamool as demanded by the accused, the accused had abused the de facto complainant in filthy language and by intimidating him at knife point, extorted a sum of Rs.850/- from him and also threatened him with dire consequences. He further submits that several previous cases are pending against the petitioners/A3 & A4.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the



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materials available on record, 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 (out of which, one of the sureties should be either the father or mother of the petitioners)**, each for a like sum to the satisfaction of the learned **XVIII Metropolitan Magistrate, Saidapet, Chennai**, 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 on everyday at 06.30 p.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



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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.

18.12.2024

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To

1. The XVIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Inspector of Police, E3, Teynampet Police Station, Chennai - 18.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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