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Crl.O.P.No.301 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

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

Crl.O.P.No.301 of 2025

Kumaran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Perumanallur Police Station,
Tiruppur District.
(Crime No.596 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.596 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Thinesh

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

ORDER

Petition seeking bail in respect of Crime No.596 of 2024 registered for the offences punishable under Section 140(2) of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 17.12.2024 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 further submits that there was a money transaction between the petitioner and the victim, thereby, in order to evade payment of the petitioner's amount, the de facto complainant had lodged a false complaint against the petitioner and the petitioner is in no way connected with the alleged offence. He also submitted that the petitioner 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 since the victim had cheated the accused by not giving contraband after receiving a sum of Rs.40,000/-, the accused had kidnapped the victim. He further submits that the victim was secured and the case is under investigation. He also submits that two previous cases are pending against the petitioner.

4. Having heard the learned counsel for the petitioner, 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



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bail on his executing a bond 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, Avinashi**, 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 petitioner shall report before respondent Police, everyday 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.

08.01.2025

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A.D.JAGADISH CHANDIRA.,J.

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To

1. The Judicial Magistrate,
Avinashi.
2. The Inspector of Police,
Perumanallur Police Station,
Tiruppur.
3. The Superintendent,
Central Prison, Tiruppur.
4. The Public Prosecutor,
High Court of Madras.

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