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Crl.O.P.No.839 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2025

CORAM

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

Crl.O.P.No.839 of 2025

Santhoshkumar

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Villupuram Taluk, Police Station,
Villupuram District.
(Crime No.938 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.938 of 2024 pending on the file of the respondent police.

For Petitioner : Mr. R. Sreedhar

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



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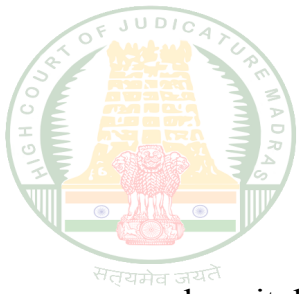
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ORDER

Petition seeking bail in respect of Crime No.938 of 2024 registered for the offences punishable under Sections 296(b) and 109 of BNS r/w. Section 3(a) of the Explosive Substances Act, is on board for consideration.

2. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 26.11.2024 and the petitioner is also ready to abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of bail to the petitioner is that due to previous enmity, while the defacto complainant and his friends were participating in a birthday party, the petitioner came to the party, abused one of the friend of the defact complainant namely Aslam using filthy language and thrown country made bomb, due to which three persons were injured. He also submitted that the petitioner has 2 previous cases and the injured were discharged from the



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hospital.
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4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels on either side, and considering the fact that the injured persons were discharged from the hospital, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.1, Villupuram** 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;



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[b] the petitioner shall report before the respondent Police, everyday at 06.30 p.m., until further orders;

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

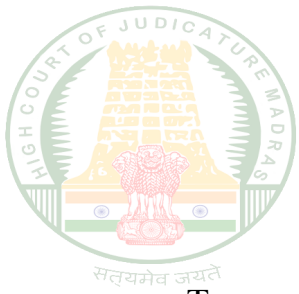
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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.

10.01.2025

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1. The Judicial Magistrate No.1,
Villupuram.
2. The Inspector of Police,
Villupuram Taluk, Police Station,
Villupuram District.
3. The Superintendent,
Prison of District Jail Villupuram,
Vedampattu.
4. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA, J.



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