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Crl.O.P.No.1441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.01.2025

CORAM

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

Crl.O.P.No.1441 of 2025

Pollard Karthi @ Karthi

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Karumalai Koodal Police Station,
Salem District.
(Cr.No. 343/2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.
343 of 2024 on the file of Karumalaikoodal Police Station, Salem.

For Petitioner : Mr.T. Ganesan

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

ORDER

Petition seeking bail in respect of Crime No.343 of 2024 registered for
the offences punishable under Sections 309(4) & 311 of BNS, 2023 is on board
for consideration.

2.The incarceration of the petitioner being from 19.12.2024 pleading
innocence on the part of the petitioner and false implication in the case, learned



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counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner has not committed any offence as alleged by the prosecution, whereas, only to keep him under fetters and to detain him under Act 14, this case has been foisted against him. He also submits that the petitioner is in 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 is said to have stopped the de facto complainant, who was walking near Mettur RS 110 KV Office, threatened him and robbed him of a sum of Rs.550/- at knife point. He further submits that there are ten 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



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surety) each for a like sum to the satisfaction of the learned Judicial Magistrate

No.2, Mettur 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 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.

22.01.2025

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A.D.JAGADISH CHANDIRA, J.

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To

1. The Judicial Magistrate No.2,
Mettur.
2. The Inspector of Police,
Karumalai Koodal Police Station,
Salem District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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