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Crl.O.P.No.2291 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

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

Crl.O.P.No.2291 of 2025

R.Dinesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kalampur Police Station,
Thiruvannamalai District.

(Crime No.5 of 2025).

... 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.5 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Munirathinam

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

ORDER

Petition seeking bail in respect of Crime No.5 of 2025 registered for the offences punishable under Section 108 of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 05.01.2025 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 also submits that it is the case where, the victim/deceased had borrowed money from several persons and since he was unable to repay the money, he has committed suicide. He further submits that the petitioner is also one of the persons who lend money to the victim and that there is no averment against the petitioner as if he has abetted the victim to commit suicide. He also submits 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/deceased unable to repay the money borrowed from the accused, the accused, who are money lenders, had threatened the victim and therefore, the victim, unable to bear the humiliation caused by the accused, had committed suicide by hanging. He further submits that the case is under investigation and there is no previous case 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 including the First Information Report and



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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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Arani**, 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 stay at Chennai and report before the Inspector of Police, R2, Kodambakkam Police Station, everyday at 10.30 a.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]***;



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A.D.JAGADISH CHANDIRA.,J.

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

30.01.2025

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To

1. The Judicial Magistrate,
Arani.
2. The Inspector of Police,
Kalampur Police Station,
Thiruvannamalai District.
3. The Superintendent,
Central Jail, Vellore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
R2, Kodambakkam Police Station,
Chennai.

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