



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 28.01.2025

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THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1962 of 2025

S.Vijay

.... Petitioner

Vs

State rep by
Inspector of Police,
JJ Nagar Police Station,
Chennai.
Crime.No.899 of 2024

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of arrest in connection with the Crime No. 899 of 2024 on the file of respondent police.

For Petitioner : Mr.Abdul Kareem

For Respondent : Mr.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.899 of 2024 registered for the offences punishable under Sections 309(4), 3(5) of BNS, 2023, the present petition has been filed seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He submits that this is the second petition for anticipatory bail, as the earlier petition was dismissed by this Court on the ground that the arrested accused was still in custody. However, the arrested accused has now been granted bail. He further 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 put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that it is a case of robbery. The petitioner, along with his friends, threatened the defacto complainant, snatched his mobile phone and forced him to transfer Rs.8,500/- via GPay while travelling in an auto. A3 has been arrested and has now been granted bail. He would further submit that there is no previous case as against this petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the



materials available on record.

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5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

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

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



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[d] the petitioner shall not abscond 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 BNS.

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Index : Yes/No

Internet : Yes/No

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To

1.The Inspector of Police,
JJ Nagar Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J,

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