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Crl.O.P.No.2182 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.2182 of 2025

Manikandan @ Poonai Manikandan

... Petitioner

Vs.

State rep. by,
The Inspector of Police,
V3 JJ Nagar Police Station,
Tiruvallur District.
(Crime No.688 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.688 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Samson

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

ORDER

Petition seeking bail in respect of Crime No.688 of 2024 registered for the offences punishable under Section 310(4) of BNS is on board for consideration.



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2. The incarceration of the petitioner being from 01.01.2025 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that since the petitioner has several previous cases, the respondent had foisted the present case against him in order to keep him under fetters. He also submits that the co-accused in this case has been granted bail by this court in Crl.O.P.Nos.29441 & 29901 of 2024 on 25.11.2024 and 02.12.2024 respectively. 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 putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the respondent and his team were on their regular patrol duty, they have seen that the accused had assembled together and were making preparation for committing dacoity. He also submits that the petitioner is a habitual offender, having 15 previous cases and therefore, if he is released on bail, there is every possibility of him absconding and not available for further investigation.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the



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materials available on record, and considering the period of incarceration undergone by the petitioner and that the co-accused have been enlarged on bail, 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 of the sureties should be the blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **Judicial Magistrate, Ambattur**, 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



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A.D.JAGADISH CHANDIRA.,J.

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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.

30.01.2025

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To

1. The Judicial Magistrate,
Ambattur.
2. The Inspector of Police,
V3 JJ Nagar Police Station,
Tiruvallur District.
3. The Superintendent,
Central Prison, Puzhal II.
4. The Public Prosecutor,
High Court of Madras.

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