



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 28.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.1913 of 2025

A.Dinesh Kumar

.... Petitioner

Vs

State rep. by
The Inspector of Police,
Sevvapet Police Station,
Salem District.

Crime No.310 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 on his arrest in connection with Crime No.310 of 2024 on the file of the respondent Police.

For Petitioner : Mr.Sasikumar R

For Respondent : Mr.Santhosh

Government Advocate (CrI.Side)

ORDER

Apprehending arrest in connection with Crime No.310 of 2024 registered for the offences punishable under Sections 132 of BNS and 25(1) Arms Act 1959, 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. Learned counsel for the petitioner would submit that the petitioner is an innocent person and has nothing to do with the allegations made in the complaint. He would submit 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 the petitioner and other accused illegally possessed Veecharuvals in their car to commit offence. He would submit that the petitioner has no previous cases pending against him.

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.

5. Considering the facts and circumstances of the case and also



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considering the submissions made by the learned counsel for the petitioners, 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 No.III, Salem, 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 everyday at 06.30 p.m., until further orders.

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

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

A.D.JAGADISH CHANDIRA, J.

[e] On breach of any of the aforesaid conditions, the



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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.

28.01.2025

Index : Yes/No
Internet : Yes/No
Lpp

To

1.The Inspector of Police,
Sevvapet Police Station,
Salem District.

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.1913 of 2025