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Crl.O.P.No.2108 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

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

Crl.O.P.No.2108 of 2025

Suthakar

... Petitioner

Vs.

The State represented by,
The Sub Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

(Crime No.501 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.501 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.R.Elavarasan

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

ORDER

Petition seeking bail in respect of Crime No.501 of 2024 registered for the offences punishable under Section 191(2), 115(2), 140(1) and 109 of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 21.12.2024 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 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 (Crl.Side) appearing for the respondent police, opposing for grant of bail, is that due to previous enmity, the accused persons kidnapped the defacto complainant in a car and assaulted him and after two days, the defacto complainant escaped from them. He further submit that, apart from this case, petitioner has two previous cases.

4. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, he 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 shall be a blood related surety)**,



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each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Kunnam**, 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]***;



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

29.01.2025

Sma

To

1. District Munsif Cum Judicial Magistrate,
Kunnam.
2. The Sub Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
3. The Superintendent,
Central Prison, Trichy
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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