



Crl.O.P.No.3083 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3083 of 2025

1. Narasimma Praveen
2. Ganesh @ Vignesh Kumar

... Petitioners/A1 & A2

Vs.

The State represented by,
The Inspector of Police,
Aupparpalayam Police Station,
Tiruppur District.
(Crime No.34 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.34 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.S.N.Malik Saleem

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 10.01.2025, seeking bail in Crime No.34 of 2025 registered for the offence under Section 312 of IPC.



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2. The case of the prosecution is that the petitioners waylaid the defacto complainant and attempted to commit robbery from him. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are in custody from 10.01.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, submitted that, apart from this case, 1st petitioner has ten previous cases and the 2nd petitioner has six previous cases and in those cases, petitioners are on bail.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



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6. Considering the nature of allegation, period of incarceration, the petitioners are on bail in other cases and that since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their 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 No.III, Tiruppur.**

[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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 B.N.S.

18.02.2025

Sma
To

1. Judicial Magistrate No.III,
Tiruppur.
- 2.The Inspector of Police,
Aupparpalayam Police Station,
Tiruppur District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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