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Crl.O.P.No.8383 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8383 of 2025

Govindaraj

...Petitioner

Vs.

State rep by
The Inspector of Police,
Thally Police Station,
Thally,
Krishnagiri District.

(Crime No.28 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.28 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Muruga Bharathi

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

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 02.02.2025, seeking bail in Crime No.28 of 2025 registered for the offence under Sections 191(2), 191(3), 140(2), 308, 296(b), 118(1) of BNS, 2023 [147, 383, 294, 324, 364A of IPC].

2.It is the case of the prosecution that the petitioner along with the other accused called the defacto complainant through Whatsapp call for purchasing a Hitachi vehicle; that believing their words, the defacto complainant went to the place of the petitioner, at that time, the petitioner had kidnapped the defacto complainant to the forest area, tied his hands, assaulted him and robbed Rs.70,000/- and his mobile phone and further demanded Rs.50,00,000/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner has no previous cases; that co-accused was granted bail by this Court and in any case, considering the period of incarceration suffered by the petitioner from 02.02.2025, he may



be released on bail.

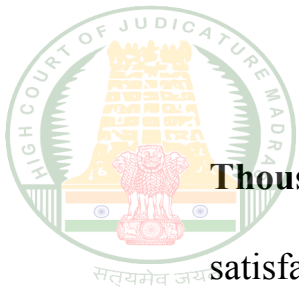
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4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that no previous cases pending against the petitioner and confirmed the fact that co-accused was granted bail by this Court.

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.

6.Considering the period of incarceration; the fact that co-accused was granted bail by this Court; the fact that there are no bad antecedents against the petitioner and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions:

7.Accordingly, the petitioner is ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen**



Thousand only) each with two sureties, each for a like sum to the satisfaction of the District Munsif Cum Judicial Magistrate, Denkanikottai, Krishnagiri District 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 10.30 a.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];

[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 B.N.S.

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Copy to:

1.The Inspector of Police,
Thally Police Station, Thally,
Krishnagiri District.

2. District Munsif Cum Judicial Magistrate, Denkanikottai, Krishnagiri.

3.District Jail, Dharmapuri

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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