



WEB COPY



Crl.O.P.No.31911 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

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

Crl.O.P.No.31911 of 2024

Suresh @ Olai Suresh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
P-2, Otteri Police Station.
(Crime No.1229 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.1229 of 2024 dated 17.11.2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Sham

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

ORDER

Petition seeking bail in respect of Crime No.1229 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 115(2), 311 and 351(3) of BNS, is on board for consideration.



Crl.O.P.No.31911 of 2024

2. The incarceration of the petitioner being from 17.11.2024 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 also submits that it is true that the petitioner has several previous cases and therefore, in order to detain him under Act 14, the respondent had foisted the present case. He further submits that the petitioner is in no way connected with the alleged offence and he 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 (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner/accused under the pretext of asking lift waylaid the de facto complainant and when the de facto complainant had refused to give money as demanded by the accused, the accused had abused him in filthy language and by intimidating him at knife point, extorted a sum of Rs.450/- from him and further, threatened him with dire consequences. He further submits that the petitioner is a habitual offender, against whom, 18 previous cases are pending.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner



CrI.O.P.No.31911 of 2024

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 surety should be a blood related surety), each for a like sum to the satisfaction of the learned **X Metropolitan Magistrate, Egmore**, 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 on 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]***;



WEB COPY



CrI.O.P.No.31911 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

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

02.01.2025

ham

To

1. The X Metropolitan Magistrate,
Egmore.
2. The Inspector of Police,
P-2, Otteri Police Station.
3. The Superintendent,
Puzhal Prison - II,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.31911 of 2024