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Crl.O.P.Nos.32146, 32147, 32152, 32177 & 32179 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.32146, 32147, 32152, 32177 & 32179 of 2024

Mohammed Kaif	... Petitioner in Crl.O.P.No.32146 of 2024
Manigandan	... Petitioner in Crl.O.P.No.32147 of 2024
Perumal Raja	... Petitioner in Crl.O.P.No.32152 of 2024
Annadurai	... Petitioner in Crl.O.P.No.32177 of 2024
Vivek	... Petitioner in Crl.O.P.No.32179 of 2024

Vs.

State Represented by
The Inspector of Police,
Pallipattu Police Station,
Tiruvallur.
(Crime No.493 of 2024)

... Respondent in all Crl.O.Ps

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.493 of 2024, on the file of the respondent Police.



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For Petitioners : Mr.J.Hemakumar
(in all Crl.O.Ps)

For Respondent : Mr.Leonard Arul Joseph Selvam
(in all Crl.O.Ps) Government Advocate (Crl.Side)

COMMON ORDER

Petitions seeking bail in respect of Crime No.493 of 2024 registered for the offences punishable under Sections 310(2) of BNS 2023 and 25(1A) of ARMS Act 1959, is on board for consideration.

2. The incarceration of the petitioners being from 07.12.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seek indulgence of this Court. He also submits that the petitioners are in no way connected with the alleged offence. He further submits that the petitioners are 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 (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused were found to be standing in a suspicious place, carrying weapons. The police apprehended the accused and conducted an



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enquiry. The accused stated that they were from Karaikal and had visited the Thirupathi Temple. While returning home, they committed the theft of a Yamaha Fazar and also stole a sum of Rs.3,560/- from a church hundi. The respondent police arrested A1 to A5 and seized the weapons, the cash of Rs.3,560/- from A1, two cowbars from A2, two screwdrivers from A3, a Honda car bearing registration No.PY-02-N-9999 from A4 and a Yamaha Fazar bike bearing registration No.AP-26-BG-2931 from A5, under the cover of a seizure mahazar in the presence of witnesses. He further submits that A1 has 23 previous cases, A2 has five previous cases and A3 to A5 have no previous cases pending against them.

4. Having heard the learned counsel for the petitioners 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 petitioners, this court is inclined to grant bail to the petitioners with certain conditions and 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** (out of which, one surety should be a blood related surety), each for a like sum to the satisfaction of the learned **District**



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Munsif-cum-Judicial Magistrate, Pallipattu and on further conditions that:

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[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 on everyday at 06.30 p.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;

[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 of B.N.S.

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To

1. The District Munsif-cum-Judicial Magistrate.
Pallipattu.
2. The Inspector of Police,
Pallipattu Police Station,
Tiruvallur.
3. The Superintendent,
Central Prison - II, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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