



CRL OP NO. 32443 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32443 of 2024

SUBASH

S/o.Tirumalai, No.196, Thidir Nagar 2rd street, Tondiarpet,
Chennai-600 081.

Petitioner(s)

Vs

The State Rep by

The Inspector of Police N-4 Fishing harbour Police Station,
Chennai- 600 081. Crime No. 373/2024

Respondent(s)

For Petitioner(s):

Karan R

For Respondent(s):

S.Santhosh

Government Advocate (criminal Side).

ORDER

Apprehending arrest in connection with Crime No.373 of 2024, registered for the offences punishable under Sections 310(4), 310(5) of BNS, 2003, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that he is no

<https://www.wharton.co.in/judicial> way connected with this case and he is ready to abide by any stringent condition that

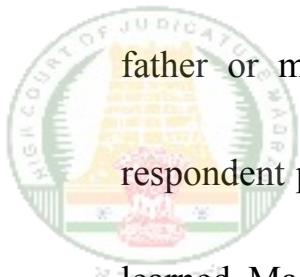


may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that on 16.11.2024, at about 05.15 hrs, the petitioner along with other accused unlawfully assembled with deadly weapons with an intention to commit dacoity. A1, A2 and A4 have been arrested. During their confession they confessed that they were planning to commit dacoity. Petitioner herein is A3. He would further submit that there are 2 previous cases as against this petitioner.

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, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned XVI M.M. At George Town, Chennai – 01, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, out of which one surety shall be either



father or mother of the petitioner, each for a like sum to the satisfaction

respondent police or the police officer who intend to arrest or to the satisfaction of the

learned Magistrate concerned, failing which, the petition for anticipatory bail shall

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stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day at 06.30 p.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.



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To

1.XVI Metropolitan Magistrate at George Town, Chennai – 01.

2.The Inspector of Police,

N-4 Fishing harbour Police Station,

Chennai- 600 081.

A.D.JAGADISH CHANDIRA, J.

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