



Crl.O.P.No.32612 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM

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

Crl.O.P.No.32612 of 2024

Dhanusraj

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Periyapalayam Police Station.
(Crime No. 482 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with **Crime No.482 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Parthiban

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

ORDER

Petition seeking bail in respect of **Crime No.482 of 2024** registered for the offences punishable under Sections 296(b), 115(2), 118(1), 109, 351(3) of BNS, 2023 r/w. Section 25(1)(a) of Arms Act, 1959, is on board for consideration.



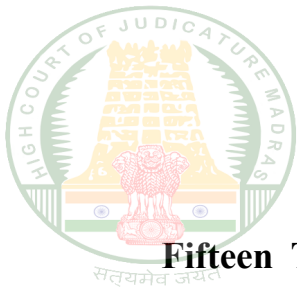
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2. The incarceration of the petitioner being from **26.10.2024** pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He would further submit that the petitioner 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 bail, is that, due to previous enmity, on 24.10.2024 at about 6.30 p.m., the petitioner along with other accused assaulted the defacto complainant with knife and caused injuries. He would submit that the injured now been discharged from the hospital. He would further submit that the petitioner has four previous cases.

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



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Fifteen Thousand only) with two sureties, out of which, one must be a blood related, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate Court, Uthukkotai, 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 6.30 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];***

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

07.01.2025

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D.JAGADISH CHANDIRA.,J.

dsn

To

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

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