



Crl.O.P.No.32645 of 2024

WEB COPY

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.32645 of 2024

1. Tamil Selvan @ Tamil

2. Dineshkumar

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
(Crime No.1316 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with Crime No.1316 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.M.Illiyas

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

ORDER

Petition seeking bail in respect of Crime No.1316 of 2024 registered for the offences punishable under Sections 310 (4) & 310 (5) of BNS, is on board for consideration.



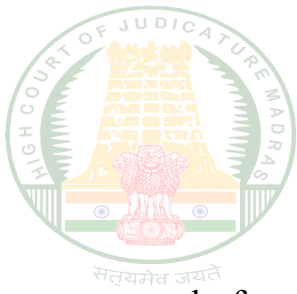
Crl.O.P.No.32645 of 2024

WEB COPY

2. The incarceration of the petitioners/A2 & A3 being from 12.12.2024 pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seeks indulgence of this Court. He also submits that the petitioners are in no way connected with the alleged offence and the present case has been foisted against them only in order to detain them under Act 14. He also 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 when the respondent and his team were on their regular patrol duty, they have seen that the accused had assembled together and were making preparation for committing dacoity. He also submits that five previous cases are pending against the first petitioner/A2 and in respect of the second petitioner/A3, six previous cases are pending and the case is under investigation.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and taking note of the nature of allegation, 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 separate bond



CrI.O.P.No.32645 of 2024

each 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 of the petitioners), each for a like sum to the satisfaction of the learned **XV Metropolitan Magistrate, George Town, Chennai**, 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 petitioners shall report before the respondent Police, 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]***;



WEB COPY



CrI.O.P.No.32645 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

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

07.01.2025

ham

To

1. The XV Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.32645 of 2024