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Crl.O.P.No.32610 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

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

Crl.O.P.No.32610 of 2024

Anandhamurugan @ Kulla Anandh

... Petitioner

Vs.

State Rep. by the Inspector of Police

H-3, Tondiarpet Police Station

Chennai (Crime No.780 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.780 of 2024 on the file of the respondent Police.

For Petitioner : Mr.V.Sudhakar

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

ORDER

Petition seeking bail in respect of Crime No.780 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 109 & 351(3) of BNS is on board for consideration.

2.The incarceration of the petitioner being from 11.12.2024 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 further submits that



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the FIR indicates that at the time of his admission to the hospital the de facto complainant stated that she was assaulted by unknown persons. He also submits that it was only through police intervention that the petitioner's name was falsely implicated in the case. He also submits that the petitioner is in no way connected with the alleged offences 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 bail, is that the petitioner along with other accused assaulted the de facto complainant with a knife, resulting in injuries. He further submits that there are sixteen previous cases against the petitioner. He further submits that the petitioner is a habitual offender.

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 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 the two sureties one should be either Mother or



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Father of the petitioner) each for a like sum to the satisfaction of the learned XV

Metropolitan Magistrate, George Town, 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 learned XV Metropolitan Magistrate, George Town, on all working days at 10.30 a.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.

20.01.2025

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A.D.JAGADISH CHANDIRA, J.
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To

1.The XV Metropolitan Magistrate,
George Town

2.The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai

3.The Superintendent,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court of Madras.

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