

Crl.O.P.No.30928 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

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

Crl.O.P.No.30928 of 2024

Vignesh

... Petitioner

Vs.

State rep. by
Inspector of Police,
J-3, Guindy Police Station
Chennai.
(Crime No.400 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending investigation in Crime No.400 of 2024, on the file of the Inspector of Police, Guindy Police Station, Chennai.

For Petitioner : Mr.K.Venkatesan

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

ORDER

Petition seeking bail in respect of Crime No.400 of 2024 registered for the offences punishable under Section 127(2), 115(2), 118(1), 121(2), 109, 351(3) of BNS and u/s.3 of Tamil Nadu Medicare Service Persons and



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Medicine Service Institutions (Prevention of Violence and Damage or Loss to the Property) Act 2008, is on board for consideration.

2.The incarceration of the petitioner being from 14.11.2024 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 also submits that the petitioner holds a Diploma in Automobile Engineering. He also submits that the incident occurred, when the petitioner's mother was admitted to the hospital. He also submits that dissatisfied with the medical treatment provided by the doctor, the petitioner questioned it, leading to an altercation during the quarrel. He also submits 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 on the date of occurrence i.e., 13.11.2024, the petitioner engaged in a quarrel with the Doctor on duty at the hospital, who was also treating the petitioner's mother and during the altercation, the petitioner assaulted the doctor with a knife, causing injuries to him. He further submits that there are no previous cases against the petitioner. He further submits that the injured has already been discharged from the hospital.

4.Having heard the learned counsel for the petitioner and the learned



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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**, each for a like sum to the satisfaction of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, and on further conditions that:

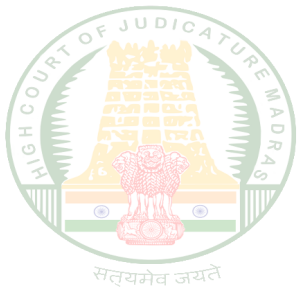
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Vellore and report before the Inspector of Police, Sathuvachari Police Station, Vellore everyday 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



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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.

17.12.2024

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To

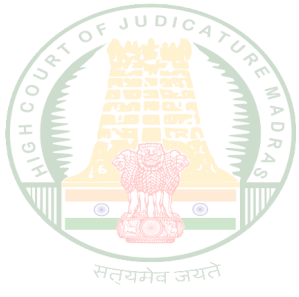
1.The XVIII Metropolitan Magistrate, Saidapet, Chennai

2.The Inspector of Police,
J-3, Guindy Police Station
Chennai.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.

5.The Inspector of Police,
Sathuvachari Police Station,
Vellore



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A.D.JAGADISH CHANDIRA., J.
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