



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 18157 of 2026

1. Mohamed Azarudeen
S/o. Mohamed Eliyas,
56, Kavari Street,
Kumbakonam,
Thanjavur District.
2. Hariharan
S/o. Muthuraman,
36 a, Nagai salai, Koradacheri,
Thiruvavarur district.

..Petitioner(s)

Vs

The State rep. by the Inspector of Police
Komarapalayam Police Station,
Namakkal District.
Crime No.158 /2026

..Respondent(s)

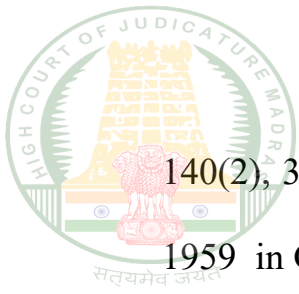
Prayer: Criminal Original Petition filed under section 483 of BNSS, 2023 to enlarge the Petitioner on bail in Crime No. 158 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. Deepan Uday

For Respondent(s): MR.S.YOGARAJA SEKAR,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioners were arrested and remanded to judicial custody on 07.05.2026 for the alleged offence under Sections 191(2), 191(3), 126(2), 204,



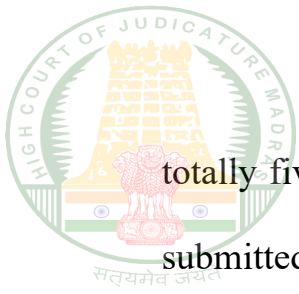
140(2), 308(3), 351(3) of BNS Act, 2023 and Section 25(1B) (a) of Arms Act, 1959 in Crime No.158 of 2026 on the file of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that the petitioners along with other accused formed themselves into an unlawful assembly armed with deadly weapon and waylaid the defacto complainant, while he was returning from wine shop on his two wheeler. It is alleged that the second petitioner impersonated himself as a member of special police team and abducted the defacto complainant in a car to Aravakurichi along with his two wheeler, demanded a ransom of Rs.50,00,000/-, threatened him with dire consequences and extorted a sum of Rs.20,00,000/- through the friends of the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the occurrence took place on 30.01.2026 and that the FIR came to be registered on 07.05.2026. He further submitted that the petitioners were arrested and remanded to judicial custody on 07.05.2026. He further submitted that the long delay in registering the FIR creates serious doubt regarding the prosecution case. Hence, he prays to grant bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there are



totally five accused in this case and the petitioners are A2 and A3. He further submitted that, after the occurrence on 30.01.2026, the petitioners allegedly attempted to commit similar acts on 30.03.2026 and 12.04.2026, pursuant to which the present complaint came to be registered. However, he opposed for grant of bail to the petitioners.

5. Considering the facts and circumstances of the case, the inordinate delay in the registration of the FIR, this Court is of the firm view that further custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant bail to the petitioners subject to the certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Court of Sessions, **Judicial Magistrate, Komarapalayam, Namakkal**, and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders;**



WEB COPY



[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

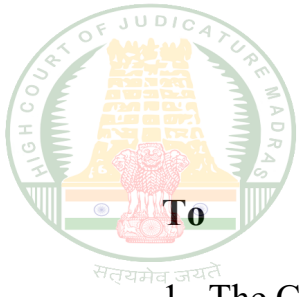
13-07-2026

DRL

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

1. The Court of Sessions,
The Judicial Magistrate,
Komarapalayam, Namakkal.

2. The Inspector of Police
Komarapalayam Police Station,
Namakkal District.

3. The Superintendent,
District Jail Gopichettipalayam,
Erode.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 18157 of 2



C.KUMARAPPAN, J.

DRL

CRL OP No. 18157 of 2026

13-07-2026