



CrI.O.P.No.63 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM

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

CrI.O.P.No.63 of 2025

Muhamad Azad

... Petitioner

Vs.

State Represented by,
The Inspector of Police,
Sendamangalam Police Station.
(Crime No. 248 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with **Crime No.248 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.N.Rangesh Kanna

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

ORDER

Petition seeking bail in respect of **Crime No.248 of 2024** registered for the offences punishable under Sections 309(6), 311 and 331(6) of the Bharatiya Nyaya Sanhita, 2023, is on board for consideration.



Crl.O.P.No.63 of 2025

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2. The incarceration of the petitioner being from **13.11.2024** 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 submit that due to previous enmity, a false complaint has been given against the petitioner. He would submit that the petitioner is ready to furnish substantial sureties and is ready to abide by any stringent conditions 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 is an employee of the Sri Blue Metal Crushers company. While so, on 12.11.2024, the petitioner along with other accused trespassed into the company, damaged the CCTV camera and attacked the night watchman by using Iron rod and committed robbery of a sum of Rs.7 lakhs and same has been recovered. He would further submit that the petitioner hails from Bihar and there is no previous case pending against him.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused



Crl.O.P.No.63 of 2025

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 Fifteen Thousand only)** with **two sureties**, out of which, **one must be a blood related surety, who shall give a proof of residence at Bihar**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Sendanmangalam**, 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 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



Crl.O.P.No.63 of 2025

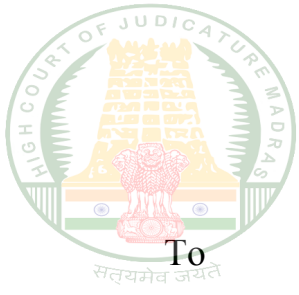
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himself as laid down by the Hon'ble Supreme Court in
P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[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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Crl.O.P.No.63 of 2025

To

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1. The learned Judicial Magistrate,
Sendanmangalam.
2. The Inspector of Police,
Sendamangalam Police Station.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

D.JAGADISH CHANDIRA.,J.



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Crl.O.P.No.63 of 2025

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Crl.O.P.No.63 of 2025

07.01.2025