



Crl.O.P.No.8109 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8109 of 2025

1. Raja, (M/a-37 years)
Son of Govindhan

2. Mohammed Rafeek, (M/a-36 years)
Son of Usman Ali

... Petitioners/Accused 3,4

Vs.

The State represented by,
The Inspector of Police,
Sankarapuram P.S.
Kallakurichi District

... Respondent

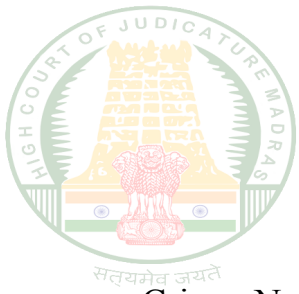
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail, in connection with the Crime No.145 of 2025, on the file of the respondent Police.

For Petitioners : Mr.S.J. Raja Janakiraman

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 04.03.2025, seeking bail in



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Crime No.145 of 2025 registered for the offences punishable under Section 310(4) of BNS Act (under Section 399 of IPC).

2. The case of the prosecution is that the petitioners along with the other accused attempted to commit dacoity. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that, in any case, the petitioners are in custody from 04.03.2025 and that since further custody is not required for the purpose of investigation, they may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that there are no previous cases against the petitioners.

5. Considering the fact that there is no previous case against the petitioners; that the weapons were recovered from the accused 1 and 2 and not from the present petitioners; the period of incarceration and since further



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custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on each of the petitioner 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 **Judicial Magistrate, Sankarapuram, Kallakurichi District** 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 10.30 a.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;



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[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]***;

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

19.03.2025

bga

To

1. The Judicial Magistrate, Sankarapuram, Kallakurichi District
2. The Inspector of Police,
Sankarapuram P.S.
Kallakurichi District
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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