



Crl.O.P.No.9960 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.9960 of 2025

B.Shajahan

...Petitioner/Accused 1

Vs.

State rep by  
The Inspector of Police,  
Sooramangalam Police Station,  
Salem City, Salem District.

(Crime No.136 of 2025)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.136 of 2025 pending investigation on the file of the respondent police.

For Petitioners : M/s.S.R.Gerthanaasri

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



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## **ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 23.02.2025, seeking bail in Crime No.136 of 2025 registered for the offence under Sections 140(2), 296(b), 115(2), 309(6) and 351(2) of BNS, 2023.

2.It is the case of the prosecution that on 22.02.2025 at about 4.30 p.m., the petitioner along with the other accused took the defacto complainant to DSK Mandapam; that the accused had abused the defacto complainant in filthy language, assaulted him, threatened him and took Rs.10,000/-; that thereafter, they demanded another sum of Rs.20,000/-; that when the defacto complainant refused the same, the accused called the defacto complainant's mother over phone, threatened her and received Rs.20,000/- through G-pay; and that thereafter the accused had released the defacto complainant. Hence, the case.



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3.The learned counsel for the petitioner would submit that the petitioner is innocent; that the similarly placed co-accused was granted bail by this Court in CrI.O.P.No.8404 of 2025 and that in any case, the petitioner is in custody from 16.03.2025 and hence, further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that there are five previous cases pending against the petitioner and he is on bail in those cases and that as on date a sum of Rs.15,000/- was recovered from the accused.

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration, the fact that the petitioner is on bail in the previous cases, the similarly placed co-accused was granted bail by this Court in CrI.O.P.No.8404 of 2025 and since further custody of the petitioner is not required for the purpose of



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Investigation, this Court is inclined to grant bail to the petitioner with certain conditions:

7. 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 **Judicial Magistrate No.II, Salem**, and on further conditions that:

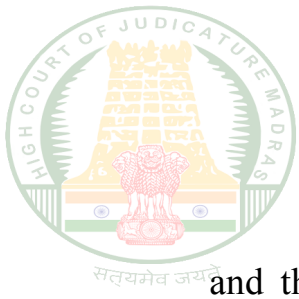
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**[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



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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 B.N.S.

03.04.2025

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Copy to:

- 1.The Inspector of Police,  
Sooramangalam Police Station,  
Salem City, Salem District.
- 2.The Judicial Magistrate No.II, Salem.
- 3.Central Prison, Salem.
- 4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J.**

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**03.04.2025**