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CRL OP No. 15119 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15119 of 2025

1. Mohamed Asmath @ Riyaz
S/o John Basha, No.6, Pallivasal Street,
Kanuvapet, First Plot Pudhu Nagar,
Villinaur, Pondicherry 605110

Petitioner(s)

Vs

1. The State represented by, The Station
House Officer
The Station House Officer, Villinur
Police Station, Pudhucherry. 605110

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Crime No.105 of 2025 on the file of the respondent police

For Petitioner(s): Mr.K. Sasindran

For Respondent(s): Mr.A.V.Ramachandra Murthy
Additional Public Prosecutor
(Pondy)



ORDER

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2. The case of the prosecution is that on the date of occurrence, the petitioner along with his father attacked the defacto complainant with knife, in which the de-facto complainant sustained grievous injuries and thereby attempted to commit murder the de-facto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the co-accused has been released on bail and the victim has been discharged from the hospital. The learned counsel for the petitioner submitted that the petitioner is suffering incarceration from 17.04.2025 and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner had assaulted the victim



with knife and attempted to commit murder and the knife was seized. He further submitted that the victim has been discharged from the hospital and the co-accused, who is the father of the petitioner has been released on bail and the investigation is still pending.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner and that the injured has been discharged from the hospital, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.VI, Puducherry**, and on further conditions that:

[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;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

16.05.2025

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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
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1. The Station House Officer
The Station House Officer, Villinur
Police Station, Pudhucherry. 605110.
2. The Judicial Magistrate – VI,
Puducherry.
3. The Central Prison, Kalapet,
Puducherry.
4. The Public Prosecutor,
Pondicherry.



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M.NIRMAL KUMAR J.

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