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Crl.O.P.No.15745 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15745 of 2025

Mohana Sundharam

... Petitioner/ A9

Vs.

The State represented by,
The Inspector of Police,
Kanchi Taluk Police Station.
(Crime No. 108 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.108 of 2025 pending
investigation on the file of the respondent police.

For Petitioner : Mr.E.Abdul Rahimon

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (Crl.Side)



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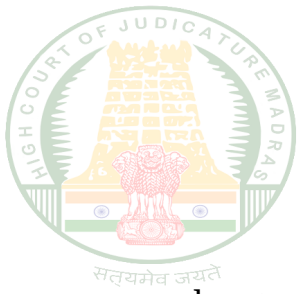
ORDER

The petitioner/A9, who was arrested and remanded to judicial custody on 15.03.2025 for the alleged offences punishable under Sections 103 of BNS r/w Section 3 of Explosive Substances Act in Crime No.108 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.03.2025, due to previous enmity, the petitioner along with other accused persons attacked the deceased Raja @ Vasulraja with knife and country bom, which resulted in the death of the deceased. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner has been in judicial custody from 15.03.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate for the respondent submitted that



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due to previous enmity, the petitioner along with other accused persons attacked the deceased Raja @ Vasulraja with knife and country bom, which resulted in the death of the deceased. He further submitted that charge sheet has been filed before the lower Court. Thereby, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner, subject to 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 II, Kancheepuram** and on further conditions that:-

[a] the sureties shall affix their photographs and



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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 Judicial Magistrate II, Kancheepuram daily at 10.30 a.m from Monday to Friday and appear before the respondent police at 10.30 a.m on every Saturday and Sunday 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 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



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FIR can be registered under Section 269 B.N.S.

22.05.2025

Anu

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 official website of this Court will be watermarked and will also have a QR code.**

To

1.The Judicial Magistrate II, Kancheepuram

2.The Inspector of Police,
Kanchi Taluk Police Station.

3.The Superintendent,
Central Prison, Puzhal

4.The Public Prosecutor,
High Court of Madras.

N.SENTHILKUMAR,J.



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