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CrI.O.P.No.21635 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.21635 of 2025

Shanmuga

... Petitioner/A7

Vs.

The State Represented by

The Inspector of Police,

Hudco Police Station,

Krishnagiri District.

(Crime No.183 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.183 of 2025 on the file of the respondent police.

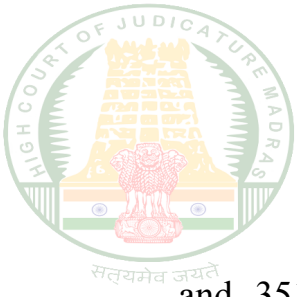
For Petitioner : Mr.A.Balamurugan

For Respondent : Mr.R.Vinoth Raja

Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2025, for the offence punishable under Sections 126(2), 310(2), 311



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and 351(2) of BNS, 2023 in connection with Crime No.183 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that when the de-facto complainant was travelling along with his friend in a car towards Hosur-Krishnagiri NH Road, at that time the petitioner along with other accused, who came in a Bolero car, intercepted the de-facto complainant's car and taken away the de-facto complainant's Honda JAZZ car and robbed money from the de-facto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.25,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for granting bail to the petitioner.



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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 in this case, there are totally 8 accused, the petitioner is ranked as A7. He further submitted that the petitioner hails from the State of Kerala and his car was traced.

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

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, 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.II, Hosur**, and on further conditions that:



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[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;

[b] The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) (Non refundable) towards the account of Government Arignar Anna Memorial Cancer Hospital and Research Institute, Kancheepuram in Savings Bank Account No.015701000013540, Indian Overseas Bank, Kancheepuram Main Branch, Kancheepuram - 631 501, IFSC Code: IOBA0000157, MICR No: 600020152 and to produce the Bank Challan before the concerned Magistrate and the receipt shall be produced at the time of executing the bond;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

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

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



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[f] 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;

[g] 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];

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

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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.



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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.II,
Hosur.

2.The Inspector of Police,
Hudco Police Station,
Krishnagiri District.

3.The Superintendent,
Sub Jail, Hosur.

4.The Public Prosecutor,
High Court of Madras.

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