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Crl.O.P.No.24083 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

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THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.24083 of 2025

Mohanraj

... Petitioner

Vs.

State Rep. by:

The Inspector of Police,
Kilvelur Police Station,
Nagapattinam District.
(Crime No.369 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail in Crime No.369 of 2025 on the file of the Kilvelur Police Station, Nagapattinam District.

For Petitioner : Ms.S.Sridevi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2025, for the offence punishable under Sections 191(2), 191(3), 61(2) of BNS, 2023, read with 25(1)(A) of Arms Act, in Crime No.369 of 2025, registered on the file of the respondent, seeks bail.



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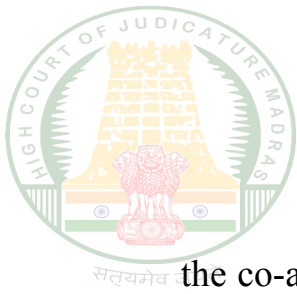
2. According to the prosecution, in retaliation to an earlier murder, this petitioner, along with four others, was allegedly preparing to murder one Krishnasamy and his brother. However, the police has secured them and a case was registered on 05.06.2025

3. The learned counsel appearing for the petitioner submitted that two of the co-accused have already been released on bail and this petitioner stands on the same footing. Hence, he seeks bail on the ground of parity.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the petitioner has 30 previous cases pending against him, many of which are of a grievous nature. He further submitted that if the petitioner is released on bail, there is every possibility that he may complete the alleged plan to murder Krishnasamy and his brother.

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

6. Considering the period of incarceration already undergone by the petitioner, the respondent police is yet to complete the investigation and



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the co-accused have already been granted bail, this Court is 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District cum Judicial Magistrate, Kilvelur** 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;

[b] **the petitioner shall report before the Mayiladuthurai police daily at 10.30 a.m., for 30 days and thereafter, report before the respondent police daily at 10.30 a.m., until further orders;**

[c] 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



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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]**;

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

02.09.2025

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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

- 1.The District cum Judicial Magistrate, Kilvelur.
- 2.The Inspector of Police,
Kilvelur Police Station,
Nagapattinam District.
- 3.The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai.

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4.The Central Prison, Nagapattinam

5.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.



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