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Crl.O.P.No.25426 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25426 of 2025

Arumugam

... Petitioner/ A6

Vs

The State rep. by,
The Inspector of Police,
Veppadai Police Station,
Namakkal District.
(Crime No.129 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.129 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. M. Subash

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 23.07.2025, for the offences punishable under Sections 127(2), 115(2), 118(1), 308(4) and 351(2) of BNS in Crime No.129 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused under the guise of offering job, took the defacto complainant and others in a car, wrongfully confined them in A1's house, assaulted and threatened them at knife point to get money from their parents through UPI and also extorted their cell phone and ATM card; and that thereby withdrawn a sum of Rs.50,000/- from their account. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and states that there are totally 8 accused and the petitioner is arrayed as A6 in this case. He further submitted that the only Rs.30,000/- have been recovered out of Rs.50,000/- and A1 to A4 are still in judicial custody; that the petitioner has no previous antecedents and that the investigation is pending.

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

6. Considering the facts and circumstances of the case, the fact that the petitioner has no previous antecedents, the period of incarceration undergone by the petitioner and a sum of Rs.30,000/- has been recovered by the respondent police, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Kumarapalayam** and on further conditions



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Crl.O.P.No.25426 of 202



[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 respondent police daily at 10.30a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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 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.



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Crl.O.P.No.25426 of 2025

16.09.2025

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 Judicial Magistrate,
Kumarapalayam.
2. The Inspector of Police,
Veppadai Police Station,
Namakkal District.
(Crime No.129 of 2025)
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

stn



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Crl.O.P.No.25426 of 2025

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16.09.2025