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Crl.O.P.No.26268 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.26268 of 2025

Mohamed Arshath

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore District.
(Crime No.225 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.225 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.B.Balaji

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 23.07.2025, for the offence punishable under Sections 140(2), 127(2),
118(1) and 351(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.225 of
2025, registered on the file of the respondent, seeks bail.



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2. The allegation against the petitioner is that this petitioner joining hands with A1 threatened the de facto complainant to pay a sum of Rs.15,00,000/- and received a sum of Rs.13,50,000/-. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the earlier bail application filed by the petitioner in Crl.O.P.No.23189 of 2025 was dismissed by this Court on 03.09.2025. Subsequent to the dismissal of Crl.O.P.No.23189 of 2025, bail was granted to A6 - Vetrichelvan, by this Court in Crl.O.P.No.24965 of 2025 dated 12.09.2025. He further submitted that the main allegation in the case is only against A1, and that the petitioner is an innocent person who has been falsely implicated. Hence, he prayed for grant of bail to the petitioner.

4. 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 investigation is till in progress and overt act of this petitioner is that he helped Accused No.1 to confine the de facto complainant in the house.

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



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6. Considering the nature of allegations, the fact that bail has already been granted to a co-accused (A6), and also taking into the period of incarceration of the petitioner and the overt act, 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 **District Munsif cum Judicial Magistrate Court, Annur**, 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 respondent police for a period of four weeks, and thereafter as and when required for interrogation;

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



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[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.

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cda



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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 Munsif cum Judicial Magistrate Court,
Annur.
- 2.The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore District.
- 3.The Central Prison,
Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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