



Crl.O.P.No.27378 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.27378 of 2025

1. Sheyam kumar
2. Afzal Ahmed
3. Sanjay

... Petitioners

Vs.

The State Rep. by
The Inspector of Police
D-2, Anna Salai P.S
Chennai

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of arrest in Crime No.351 of 2025 on the file of the respondent Police.

For Petitioners : M/s.K.Malathi

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(2), 351(3) of BNSS Act in Crime No.351 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that due to previous enmity, 8 persons way laid one Muhamed Sulthan on 23.09.2025 who travelled with the defacto complainant in the motor cycle. The petitioners pushed them down after brandishing knife, took the motor cycle with them. Hence the case.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case; that the petitioners have not committed any offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation.

4.Learned Government Advocate (Cr1. Side) appearing for the respondent police reiterated the prosecution case and he opposed for grant of anticipatory bail to the petitioners. He further submitted that the injured discharged from the hospital.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the



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injured discharged from the hospital and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned II Metropolitan Magistrate at Egmore** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees ten thousand only) each with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate/Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and 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 petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d]the petitioners shall not abscond 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 FIR can be registered under Section 269 of B.N.S.

03.10.2025

smn/kas

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.



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To

1.The II Metropolitan Magistrate
Egmore

2. The Inspector of Police
D-2, Anna Salai P.S
Chennai

3.The Public Prosecutor
High Court of Madras.



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N.SENTHILKUMAR, J.
smn/kas

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