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Crl.O.P.No.31605 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31605 of 2025

1.Mohanabala
2.Sivagiri
3.Vicky @ Vignesh

... Petitioners

-Vs-

State Rep by,
The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam District.
(Crime No.187 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioners on bail in Crime No.187 of 2025 pending on the file of the respondent police.

For Petitioners : Mr.J.Jawahar

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

ORDER

The petitioner, who were arrested and remanded to judicial custody on 22.10.2025, for the alleged offence punishable under Section 309(4) of BNS, in Crime No.187 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioners is that they entered the petrol bunk and, after filling petrol, the petitioner/A3 along with two other accused snatched away a cash bag containing collection money of Rs.3,800/-. Hence the complaint was lodged and the petitioners were arrested.

3. Learned counsel appearing for the petitioners submitted that they have been falsely implicated, though some of the petitioners have previous cases registered against them. He further submitted that they were not involved in the alleged offence and they have been implicated purely on suspicion. He further submitted that the petitioners were arrested and are in judicial custody since 22.10.2025. Hence, he prayed for grant of bail to the petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners/A1 & A3 are having two previous cases pending against them, whereas the petitioner/A4 has no previous antecedents, and that the investigation is still pending. However, he opposes to grant bail to the petitioner.

6. Heard both sides and perused the materials available on record including the First Information Report.

7. Considering the submissions made by the learned counsel on either side, the fact that it is case of petrol bunk robbery, the petitioners/A1 and A3 are having previous cases against them, and the petitioner/A4 is a first time



offender, this Court is inclined to grant bail to the petitioner/A4. **As far as the petitioners/A1 & A3 are concerned, this Criminal Original Petition stands dismissed.**

8. Accordingly, the petitioner/A4 is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.II, Nagapattinam*, and on further conditions that:-

[a] 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 petitioner/A4 shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner/A4 shall not abscond either during investigation or trial;

[d] the petitioner/A4 shall not tamper with the evidence or witness 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



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against the petitioner/A4 in accordance with law as if the conditions have been imposed and the petitioner/A4 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 B.N.S.

19.11.2025

drl

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 No.II,
Nagapattinam.

2.The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam District.

3.The Sub Jail,
District Jail, Nagapattinam.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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