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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NOs.33998 & 34002 of 2025

Haja Mohaideen

Petitioner
in Crl.OP.No.33998/25

Iyappan @ Ramesh

Petitioner
in Crl.OP.No.34002/25

Vs

The State Represented by
The Inspector of Police,
K10, Koyambedu Police Station,
Chennai.
Crime No.401 of 2025.

Respondent
in both the petitions

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners in Crime No.401 of 2025 on the file of the respondent police.

For Petitioners:

Mr.P.Suresh Kumar
(in both the petitions)

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)
(in both the petitions)

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COMMON ORDER

The petitioners were arrested and remanded to judicial custody on 25.09.2025 for the alleged offence punishable under Section 311 of BNS @ Sections 311, 61(2) r/w 3(5) of BNS in Crime No.401 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioners is that they joined hands with five other accused conspired and after selecting the target, they followed the defacto complainant, at knife point, attacked him and taken away the cash worth about Rs.45.68 lakhs. Hence, a complaint was lodged and the petitioner was arrested.

3. Earlier this Court dismissed the bail petitions in Crl.OP.No.31435 of 2025 dated 18.11.2025 on the ground that so far no amount has been recovered, that the main accused are still absconding.

4. Now, the learned counsel appearing for the petitioners submitted that the petitioners are graduates and college students and that they have falsely implicated merely because they are friends of the main accused. He further submitted that the petitioners are in judicial custody since 25.09.2025. Hence, he prayed to grant bail to the petitioners.

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5. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there are totally 9 accused in this case and the petitioners are ranked as A7 and A5 respectively. He further submitted that the petitioners are not having any previous cases against them. Hence, he opposed to grant bail to the petitioner.

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioners are not having any previous cases and some of the accused have been arrested, and taking into account, the petitioners are in judicial custody from 25.09.2025, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** each with two sureties, for a like sum to the satisfaction of the *learned V Metropolitan Magistrate Court, Egmore*, 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 petitioners 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 petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

11.12.2025

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 V Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
K10, Koyambedu Police Station,
Chennai.

3.The Superintendent,
Central Prison, Chennai.

4.The Public Prosecutor,
High Court, Madras.

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