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Crl.O.P.No.33829 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33829 of 2025

Mohanabala

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam.
(Crime No.187 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.187 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. V. Vignesh

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 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. The earlier bail application of the petitioner herein was dismissed by this Court, vide order dated 19.11.2025 in Crl.O.P.No.31605 of 2025 on the ground that the petitioner has two previous cases.

2. The case of the prosecution is that, the petitioner herein joined hands with two other accused entered into the petrol bunk and snatched away the cash bag containing collection money to the tune of Rs.3,800/-. Hence, this case.

3. The learned counsel appearing for petitioner submitted that the petitioner is in judicial custody since 22.10.2025; that the earlier bail application of the petitioner was dismissed on the ground that the petitioner has two previous cases; that out of the two previous cases, one case was already ended in acquittal and in the other case, the petitioner is facing trial; and that the petitioner is ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the stolen amount has been recovered; and that the investigation of the case is pending.

5. Considering the submissions made, facts and circumstances of the case, the fact that out of the two previous cases against the petitioner herein, one case ended in acquittal and the petitioner is facing trial in the other case, the stolen property were already recovered and the period of incarceration undergone by the petitioner herein, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 each**, 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 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;

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[b] **the petitioner 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] 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.

10.12.2025

stn

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.



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To

1. The Judicial Magistrate No.II, Nagapattinam.
2. The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam.
(Crime No.187 of 2025)
3. The Superintendent,
Sub Jail, Nagapattinam.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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