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CrI.O.P.No.34442 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.34442 of 2025

Shahul Hameed

... Petitioner

Vs.

The State represented by
The Station House Officer,
Mudaliarpet Police Station,
Puducherry.
(Crime No.219 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.219 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.P.Yuvaraj

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
09.10.2025, for the offence punishable under Sections 304(2) of BNS Act @
309(6), 317(2) read with Section 3(5) of BNS Act in Crime No.219 of 2025,
registered on the file of the respondent, seeks bail.



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2. The allegation against the petitioner is that the petitioner is A2 in this case, he developed acquaintance with A1, who had in several chain snatching cases and in this case, A1 snatched 5 sovereigns of gold thali chain and handed over the same to the petitioner for the purpose of selling it and accordingly petitioner sold it and paid money and this petitioner was arrested on 09.10.2025. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the stolen property has been recovered. He further submitted that, apart from this case, petitioner has two previous cases, one under prohibition and another hurt case. However, he opposed for grant of bail to the petitioner.

5. Considering the nature of offence and period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:



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6. 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)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.VII, Puducherry** 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 daily at 10.30.a.m., for a period of three 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;

[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;



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[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.

16.12.2025

sma

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. Judicial Magistrate No.VII,
Puducherry.
- 2.The Station House Officer,
Mudaliarpet Police Station,
Puducherry.
- 3.The Central Prison, Kalapet, Puducherry.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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