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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

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THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35362 of 2025

Mohamed Hussain

... Petitioner

Vs.

The State represented by
The Inspector of Police,
J1-Saidapet Police Station,
Chennai.
(Crime No.133 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in Crime No.133 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.Thinesh
For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.04.2024, for the alleged offences punishable under Sections 341, 294(b), 323, 336, 392, 397 & 506(ii) of IPC in Crime No.133 of 2024, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner, along with the other accused, waylaid the defacto complainant, assaulted him, and robbed Rs.2,100/- at knife point. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration from 11.04.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are twelve previous cases registered against the petitioner. Hence, he vehemently opposed to grant of bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the fact that though there are twelve previous cases pending against the petitioner, all the cases are not similar kind of offences and already in old cases, bail was granted to him and taking



into account the period of incarceration undergone by the petitioner from 11.04.2024, this Court is inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of **the IX Metropolitan Magistrate, Saidapet, Chennai**, and on further conditions that:-

[b] the petitioner shall report before the trial Court on every working day at 10.30.a.m., until further orders.

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26.12.2025

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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 IX Metropolitan Magistrate, Saidapet, Chennai.
2. The Inspector of Police,
J1-Saidapet Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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