



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 1788 of 2026

G. Sakthivel

... Petitioner/A3

Vs.

The State represented by
The Inspector of Police,
Hasthampatty Police Station
Salem City District.
Crime No. 403 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No. 403
of 2025 on the file of respondent police.

For Petitioner : Mr.P.Arun Kumar

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
26.11.2025, for the offences punishable under Sections 126(2), 296(b),
115(2), 309(4), 311 and 351(3) of BNS Act, 2023 [Corresponding to Section
341, 294(b), 323, 392, 397, and 506(ii) of IPC] in Crime No.403 of 2025,
registered on the file respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner joined hands with other accused waylaid the de-facto complainant and robbed a sum of Rs.3,000/- at knife point by using filthy language. Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 26.11.2025. He further submitted that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner herein is ranked as A3 and he is having one previous case. He further submitted that the 1st and 2nd accused were arrested and detained under Act, 14 of 1982 and the investigation is pending. However, he opposed for grant of bail to the petitioner.



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

6. Considering the fact that the main accused viz., A1 and A2 detained under Act, 14 of 1982; that the petitioner herein is having one previous case and considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner herein with certain conditions.

7. Accordingly, the petitioner 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. III, Salem**, 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 by the respondent police;**



[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.

28.01.2026

MSM

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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.



Crl.O.P.No. 1788 of :

To

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1.The Judicial Magistrate No. III,
Salem.

2.The Inspector of Police,
Hasthampatty Police Station
Salem City District.
Crime No. 403 of 2025.

3.The Public Prosecutor
High Court of Madras.

4.The Superintendent of Central
Prison, Salem .



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K.RAJASEKAR J.

MSM

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