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CRL OP No. 2649 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2649 of 2026

Mathew Daniel

..Petitioner(s)

Vs

The State rep by The Inspector of Police,

Arakonnam Town Police Station,

Ranipet District.

Crime No. 5 of 2026.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on Bail in connection with the case in Crime No. 5 of 2026 pending investigation on the file of the respondent police and thus render Justice.

For Petitioner(s): Mr.C.Harish

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on



09.01.2026 for the offences punishable under **Sections 296(b), 351(3) of BNS, 7(1)(a) of Criminal law Amendment Act, 25(1)(A) and Section 25(1A) Arms Act, in Crime No.5 of 2026** on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that the petitioner joining hands with other accused involved in threatening the officers who are engaged in the patrol duty, by showing knife. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this cases and he is in judicial custody since 09.01.2026. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the petitioner is ranked as A2 in this case and on his instigation only A1 has committed such offences and hence he has been added as an accused and the petitioner is having eight previous cases.



5. On a perusal of the FIR would reveal that alleged occurrence is specifically attributed to Rathish @ Nani. There is no averment in the FIR indicating the presence or involvement of the petitioner at the scene of occurrence. In such circumstances, though the petitioner is stated to have previous cases, the absence of specific allegations connecting the petitioner with the alleged offence, I am 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate 1, Arakkonam** 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 Magistrate Court concerned daily at 10:30 a.m., for a period of two 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.

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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.

To

- 1.The State rep by The Inspector of Police,
Arakonnam Town Police Station,
Ranipet District.
Crime No. 5 of 2026.
- 2.The Judicial Magistrate-I, Arakkonam.
- 3.The Central Jail, Vellore,
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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