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CRL OP No. 12044 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 12044 of 2026

Mohanraj, M/A-26 years
S/o. Kannaiyan,
No.7/2, Aasath Street
U SI Market Back,
Salem District

... Petitioner

vs.

State rep by
The Inspector of Police,
Salem Town Police Station,
Salem District
(Crime No.37 of 2026)

... Respondent

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.37 of 2026.

For Petitioner: Mr.W. Camyles Gandhi

For Respondent: Mr.S. Balaji
Government Advocate (Crl. Side)

ORDER

The petitioner/ accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 309(4), 344 & 351(3) of BNS Act, 2023 (341, 294(b),392, 477(A) & 506(ii) of



IPC), in connection with Crime No.37 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with the other accused, robbed a sum of Rs.5,620/- from the de facto complainant at knife point.

3. The learned counsel for the petitioner submitted that the petitioner's name was implicated in this case based on the confession statement of the co-accused, and that the petitioner is not involved in the said offence. Hence prayed for anticipatory bail.

4. The Learned Government Advocate (Criminal Side) reiterated the prosecution case and would submit that there are 6 previous cases pending as against the petitioner and that the other accused are arrested and they are in judicial custody. Hence, he strongly objected to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of offences charged against the petitioner, and the fact that the main accused have already been arrested and that even according to the de facto complainant, the



petitioner is known to him, and though there are 6 previous cases pending against the petitioner, the same are not in similar in nature, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate-I, Salem**, on condition that the petitioner shall execute 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police, **daily at 10.30 a.m., until further orders.**

[b] 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the previous permission of the Court;

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

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

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

13.05.2026

bga/dh

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 official website of this Court will be watermarked and will also have a QR code.



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P.DHANABAL, J.

bga/dh

To

- 1.The Judicial Magistrate-I, Salem
- 2.The Inspector of Police,
Salem Town Police Station,
Salem District
3. The Public Prosecutor,
High Court, Madras.

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