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CRL OP. No.13317 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2026

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.O.P.No.13317 of 2026

Ilayaraja
S/o.Gopal,
43, Radhkrishnan Street,
Periyavalasu,
Veerappanchatiram (M),
Erode, Tamil Nadu – 636004.

... Petitioner / Accused No.3

Vs.

State Rep. By
The Sub Inspector of Police
Sankari Police Station,
Salem District.
(Crime No.98 of 2026)

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.98 of 2026 on the file of the respondent police.

For Petitioner : Mr.S.Ismath Hajarah

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Criminal Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner/Accused No.3 was arrested and remanded to judicial custody on 07.03.2026 for the alleged offences punishable under Sections 118(1), 127(2), 140(3), 3(5) and 308(5) of BNS in connection with Crime No.98 of 2026 on the file of the respondent police.

3. The case of the prosecution is that the petitioner along with other accused under the promise of offering job, took the defacto complainant and his relatives and wrongfully confined them and took 3 Mobile phones, ATM Cards and Rs.1,00,000/-. Hence, the case.

4. Mr.S.Ismath Hajarah, learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner/Accused No.3 has been in judicial custody since 07.03.2026 and till date he has been under incarceration. Hence he prays to grant bail to the petitioner.



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5. *Per contra*, Mr.V.J.Priyadarsana, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally 5 accused in this case and the petitioner is 3rd accused. He further submits that the petitioner was arrested and remanded to judicial custody on 07.03.2026 and co-accused were released on bail. He further submits that the petitioner has 4 previous cases. Accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner is Accused No.3 in Crime No. 98 of 2026. The petitioner has been in judicial custody since 07.03.2026.

8. Considering the nature of offence and the period of incarceration and with a view to give one more opportunity to reform himself and taking into account the fact that the petitioner is ready to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), this Court is inclined to enlarge the petitioner on bail, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees



Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate No.II, Sankari, Salem District.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.II, Sankari, Salem, shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Crime No.98 of 2026 on the file of the respondent-police, before the learned Judicial Magistrate No.II, Sankari, Salem. In turn, the learned Judicial Magistrate shall deposit the said amount in a nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.98 of 2026.

(iv) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 2023.

(v) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(vi) 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.

(vii) The petitioner shall appear and sign before the learned Judicial Magistrate No.II, Sankari, Salem, daily at 10.30 a.m. until further orders.

(viii) The petitioner shall not leave Tamil Nadu without prior



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permission of the Trial Court.

(ix) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Sankari, Salem.

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.II, Sankari, Salem, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

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

To

1. The Judicial Magistrate No.II, Sankari, Salem.
2. The Superintendent of Prison, Central Prison, Salem.
3. The Sub Inspector of Police, Sankari Police Station, Salem District.
4. The Public Prosecutor, High Court of Madras, Chennai 600 104.



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R. SAKTHIVEL,J

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Order made in
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