Order QR

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ggIN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34649 of 2026

CNR: {HCMA012807672026}

Case QR

1. Anburaj
   S/o. Pichaiyappan,
   South Pamani, Pamani,
   Thiruthuraipoondi,
   Thiruvarur, Tamil Nadu

2. Yogesh
   S/o Balu,
   Sivan Kovil Street, South Pamani,
   Pamani, Thiruthuraipoondi, Thiruvarur,
   Tamil Nadu

3. Sivabalan
   S/o Muthusamy,
   Abishegakattalai, Thiruthuraipoondi,
   Thiruvarur, Tamil Nadu

4. Hariharan
   S/o Murugan,
   Kaliyamman Kovil Street, Annamalai Nagar,
   Chidambaram, Cuddalore, Tamil Nadu

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Thiruthuraipoondi Police Station,
Thiruvarur, Tamil Nadu
Crime No. 418 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime No. 418 of 2026 on the file of the Respondent police, pending investigation on the

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file of the Respondent police and thus render Justice.

For Petitioner(s): Mr.M.L.Staish Kumar

For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 16.10.2026 for the alleged offences under Sections 25(1A), 25(1B)(a), 25(1C), 27(1) of Arms Act, and 111(2)(a), 310(4), 311 of BNS Act, in Crime No.418 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.10.2026, the respondent police on their routine check up, stopped a car without a number plate and arrested the occupants, including the petitioners, who allegedly planned to rob gold and silver merchants and were carrying three broadswords and a long sword. On A1's alleged confession, the police found A7 with a pistol on the dashboard of his car and arrested him. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in the present case and that they not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioners.

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4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and opposed the grant of bail on the ground that A5 and A6 are having one previous cases and A7 is having 8 previous cases pending against them.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. It is a case of an armed gang planning a robbery. The petitioners are arrayed as A4, A5, A6 and A7. According to the prosecution, on 15.10.2026, the car with number plate sped through Pamani check-post. It says that the accused tried to flee and were held. It says that they were carrying three broad swords and a long sword and that they planned to rob gold and silver merchants travelling from Salem. A7 was later found with a pistol and two bullets. All the accused have been in judicial custody since 16.10.2026. The investigation is still pending.

The learned counsel for the petitioner submitted that the weapons were recovered from the car and no recovery from the petitioners and that the offences included organised crime and intimidation. Considering the above facts and circumstances of the case and the period of incarceration of the petitioners, this Court is of the firm view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the

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petitioners on bail on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Thiruthuraipoondi,** 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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];**

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[f] 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 Judicial Magistrate,
Thiruthuraipoondi.

2. The Inspector of Police
Thiruthuraipoondi Police Station,
Thiruvarur, Tamil Nadu.

3.The Superintendent,
District Jail, Nagapattinam.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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