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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 399 of 2026

Ashik @ Mohamed Ashik

Petitioner(s)

Vs

State of Tamilnadu Rep by Inspector of Police, CBCID, Police Station,
Ramanathapuram District.
(In Crime No. 3 of 2025)

Respondent(s)

For Petitioner(s):

Mr.S. Manojkumar

For Respondent(s):

Mr. E.Antony Sahaya Prabahar
Additional Public Prosecutor

Prayer: For Bail in Crime No.3 /2025 on the file of the respondent police.

ORDER

The petitioner/A-7, who was surrendered and remanded to judicial custody on 10.12.2025 for the offences punishable under Sections 194 BNSS @ 103(1), 189(2), 140(2), 296(b), 115(2), 118(2) and 238 of BNS 2023 @ 194 BNSS, in Crime No. 03 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to money dispute, the accused persons attacked the deceased and due to which, the deceased died on the spot. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submits that the only specific overt act attributed to the petitioner is that he accompanied the other accused persons. However, he surrendered before the learned Judicial Magistrate-II on 10.12.2025. Therefore, he prays for the grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail on the ground that there are two previous cases pending against the petitioner which are not similar in nature, but has committed robbery.

5. Considering the facts and circumstances and considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail, on executing 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 Judicial Magistrate Court-II, Ramanathapuram District, and on further conditions that,

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall appear before the Judicial Magistrate Court-II, Ramanathapuram District daily morning at 10.30 a.m. and before the respondent police daily evening at 05.30 p.m., until further orders. The relaxation petition will not be considered for next two months.

c) the petitioner shall not tamper with evidence or witness;

d) the petitioner shall not abscond during trial;

e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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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 absconds, a fresh FIR can be registered under Section 269 of BNS.

02.02.2026

KSA

To

1. The Judicial Magistrate Court-II, Ramanathapuram District.
2. The Superintendent, Sub Jail, Ramanathapuram.
3. The Inspector of Police, CBCID, Police Station, Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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