



CRL OP(MD). No.2740 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 11/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Rakesh

2. Raju Ray

3. Kapil Dev Sana

... Petitioners/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Subramaniapuram Police Station,
Madurai.

In Crime No.228/2025.

... Respondent/Complainant

For Petitioner : C.Prithviraj,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PRAYER :-

C-38B.For Bail in Crime no.228 of 2025 on the
file of the Respondent Police.

ORDER : The Court made the following order :-

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2. The case of the prosecution is that the petitioners allegedly attempted to break open the electronic shutter of the ATM using a small metal plate with an intention to commit theft and that the said occurrence was captured in CCTV footage. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent person and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 09.09.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the charge sheet was taken on file in C.C.No.2281 of 2025 on the file of the learned Judicial Magistrate No.IV, Madurai and the next hearing date is 29.04.2026. The 1st petitioner is having 4 previous cases. The 2nd petitioner is having no previous case. The 3rd petitioner is having 2 previous cases. However, he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties out of which one is blood surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Madurai, and on further conditions



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that :-

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[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the trial court daily morning at 10.30 a.m and also report before the respondent police daily evening at 05.30 p.m., until further orders; the petitioners shall not leave Madurai till the trial is over. The said condition will not be relaxed and no relaxation petition will be entertained till the trial is over;

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

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

[e] On breach of any of the aforesaid



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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 is 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 BNS.

11.02.2026

PJL

TO

1. Judicial Magistrate No.IV, Madurai.
- 2.The Superintendent,Central Prison, Madurai.
- 3.The Inspector of Police,
Subramaniapuram Police Station,Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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S.SRIMATHY, J

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ORDER
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