

(2025) 12 MAD CK 1907

In the Madras High Court

Case No : Criminal Original Petition No. 34326, 34379, 34387 Of 2025

T. Gokul And Others

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 16-12-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 269, 308(2), 310(2), 351(3)
Information Technology Act, 2000 — Section 66

Citation : (2025) 12 MAD CK 1907

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : M. Loganathan, A. Gopinath

Judgement

K. Rajasekar, J

1. The petitioners herein, who were arrested and remanded to judicial custody on 02.11.2025 for the alleged offence punishable under Sections 308(2), 310(2) and 351(3) of BNS, 2023 and Section 66 of Information of Technology Act, 2000, in Crime No.217 of 2025 on the file of the respondent police, seek bail.

2. The allegation against the petitioners herein is that, they joined hands with other accused took the defacto complainant to a secluded place under the guise of engaging in friendly activities and taking advantage of the loneliness, allegedly threatened him at knife point and forced him to transfer a sum of Rs.24,000/- from his G-Pay account to the account of one of the accused. Hence, a complaint was lodged and the petitioners were arrested.

3. The learned counsel appearing for petitioners submitted that the petitioners herein have been falsely implicated in this case and they are in judicial custody since 02.11.2025. He further submitted that the petitioners are not having any bad antecedents; that the co-accused were granted bail by this Court, vide orders dated 04.12.2025 in CrI.O.P.No.33290 of 2025 and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submitted that there are totally six accused involved in this case, the petitioners are ranked as A4, A1 and A6, respectively. He further submitted that the money was recovered and that the petitioners have no previous cases against them. Hence, he opposed to grant bail to the petitioners.

5. Considering the submissions made, facts and circumstances of the case, the fact that the money was recovered, the petitioners herein have no previous cases, the co-accused was already enlarged on bail by this Court in Crl.O.P.No.33290 of 2025 and also considering the period of their incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate – I, Alandur 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., for a period of two weeks and thereafter, as and when required for interrogation;

[c] 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];

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