



CRL OP(MD).No.12274 of 2025:

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).Nos.12274 and 12276 of 2025

CRL OP(MD).No.12274 of 2025:

Santhakumar,
S/o.Muniyasamy,

: Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by the Inspector of Police,
Velayuthapalayam Police Station,
Karur District.
(Crime No.333 of 2023)

: Respondent/Complainant

CRL OP(MD).No.12276 of 2025:

Santhakumar,
S/o.Muniyasamy,

: Petitioner/ A3

Vs

The State of Tamilnadu
rep.by the Inspector of Police,
Velayuthapalayam Police Station,
Karur District.
(Crime No.348 of 2023)

: Respondent/Complainant
(in both petitions)



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For Petitioner : Mr.S.Arokia Selva Ramesh,
Advocate.
(in both petitions)

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in S.C.Nos.49 and 48 of 2024 respectively, on the file of the learned Principal District and Sessions Judge, Karur, in connection with the case in Crime Nos.333 and 348 of 2023 respectively, on the file of the Respondent Police.

COMMON ORDER: This Court made the following common order :-

The petitioner/Sole Accused in Crl.OP(MD)No.12274 of 2025, who was arrested and remanded to judicial custody on 15.08.2023 for the offences punishable under Section 395 of IPC, in Crime No.333 of 2023 on the file of the respondent police, seeks bail.

2.The petitioner/A3 in Crl.OP(MD)No.12276 of 2025, who was arrested and remanded to judicial custody on 21.06.2025 for the offences punishable under Section 399 of IPC, in Crime No.348 of 2023 on the file of the respondent police, seeks bail.

3. The case of the prosecution in Crl.OP(MD) No.12274 of 2025 is that the petitioner is sole accused in this case. The petitioner has robbed 3 sovereigns of gold chain from the defacto complainant. Hence, the complaint.



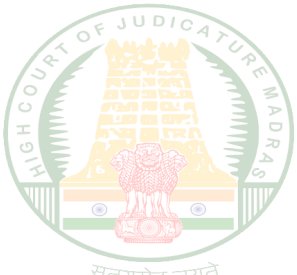
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4. The case of the prosecution in Crl.OP(MD) No.12276 of 2025 is that the petitioner is the third accused in this case. The petitioner along with other accused persons have robbed gold chain from the wife of the defacto complainant. Hence, the complaint.

5. The learned counsel for the petitioner (in both petitions) would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner was formally arrested and remanded on 15.08.2023. Thereafter, he was granted bail and was appeared for the hearing before the trial Court. After completion of investigation, the cases were taken on file in S.C.Nos.49 and 48 of 2024 respectively, and are pending for trial. In such circumstances, on 23.04.2025, the petitioner failed to appear and NBW was issued against the petitioner. He would further submit that the petitioner was remanded to judicial custody in Dindigul Sub Jail in connection with the case in Crime No.140 of 2025 on the file of the Kodaikanal Police Station. Thereafter, the petitioner appeared before the trial Court and filed a petition under Section 70(2) of Cr.P.C., to recall NBW and the same was dismissed and the petitioner was remanded to judicial custody. The petitioner is in custody from 21.06.2025 nearly 30 days. Hence, he seeks bail.

6. The learned Government Advocate (Criminal Side) would submit that it is



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case of theft. In both the cases NBW was issued on 23.04.2025 and the petitioner was surrendered before the trial Court on 21.06.2025 and the trial Court remanded the petitioner. Except the petitioner, all other accused are regularly appeared before the trial Court. He would further submit that the petitioner is a habitual offender and is having nine previous cases, out of which, five cases are pending similar in nature. However, he objected to grant bail to the petitioner.

7. Considering the facts and circumstances of the case and also the fact that NBW was issued on 23.04.2025, when the petitioner was in custody in connection with the case in Crime No.140 of 2025 on the file of the Kodaikanal Police Station and taking note of the fact that the petitioner has voluntarily surrendered before the trial Court on 21.06.2025 and filed a petition under Section 70(2) of Cr.P.C., to recall NBW and the same was dismissed by the trial Court and he was remanded to judicial custody and also taking note of the fact that except this petitioner, all other accused are regularly appearing before the trial Court, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

8. 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 learned Principal District and Sessions Judge, Karur and on further conditions that :-



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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

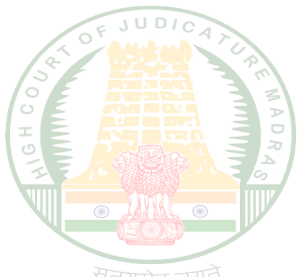
[b] The petitioner shall furnish his residential address and contact number to the learned Principal District and Sessions Judge, Karur. If the petitioner changes his residential address, he shall report the same to the learned Principal District and Sessions Judge, Karur;

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further orders except on hearing dates. On hearing dates, the petitioner shall appear before the trial Court.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid 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 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 BNS.

sd/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KARUR.
- 2 THE OFFICER INCHARGE, SUB JAIL, KARUR.
- 3 THE INSPECTOR OF POLICE, VELAYUTHAPALAYAM POLICE STATION, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.AROKIA SELVA RAMESH, Advocate (SR-7906[I] dated 22/07/2025)

ORDER
IN

CRL OP(MD).Nos.12274 and 12276 of 2025

Date :22/07/2025

NBF/SAR- /22/07/2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023