



Crl.O.P.(MD)No.17666 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/08/2026

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THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD). No.17666 of 2026

S. Gunasekar

... Petitioner/ Accused No.2

Vs

State of Tamilnadu Rep by,  
The Inspector of Police,  
Tenkasi Police Station,  
Tenkasi District.  
Crime No. 522/2026.

... Respondent/Complainant

PRAYER :-

For Bail in Crime No. 522 of 2026 on the file of the respondent Police.

For Petitioner : N Balaji,  
Advocate.

For Respondent : Mr.N.Balasubramanian,  
Counsel for State of TN (Crl.Side)

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 18.07.2026 for the offences punishable under Sections 304(2) of BNS, 2023, in Crime No.522 of 2026, on the file of the respondent

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police, seeks bail.

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2.The case of the prosecution is that, on 09.07.2026 at about 06.00 a.m., when the defacto complainant was walking on the roadside along with her sister-in-law, the petitioner snatched away 80 grams of gold chain from the defacto complainant and ran away from the place. Thereafter, the complainant was lodged and the accused were arrested.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He has no previous cases at his credit. He would further submit that the petitioner is in judicial custody from 18.07.2026 onwards. Therefore, prayed to grant bail for the petitioner.

4. The learned Counsel for the State of Tamil Nadu (Crl. Side), appearing for the respondent police, reiterated the prosecution case and submitted that, after taking the other accused into police custody, the respondent police recovered 14.4 grams of gold jewels and that A1 had given a statement to the effect that the remaining jewels had been taken to Kerala. He further submitted that though the petitioner was taken into police custody, no recovery was effected from him; that the respondent

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police have not yet taken the accused to Kerala for effecting recovery; that the remaining property is yet to be recovered; and that the investigation is still pending. Hence, he strongly opposed the grant of bail to the petitioner.

5.Considering the above facts and circumstances, the nature of the allegations levelled against the petitioner, the fact that no recovery was effected from the petitioner despite his having been taken into police custody, the period of incarceration undergone by him from 18.07.2026 and the fact that he has no bad antecedents, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate, Tenkasi**, and on further conditions that;

*(i)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;*

*(ii)the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders;*



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*(iii)the petitioner shall not tamper with evidence or witness;*

*(iv)the petitioner shall not abscond during trial;*

*(v)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]**;*

*(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS, 2023.*

(K M S J)  
17.08.2026

dss



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TO  
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- 1.The learned Judicial Magistrate, Tenkasi.
2. The Officer-in-Charge, Sub Jail, Palayamkottai.
- 3.The Inspector of Police,  
Tenkasi Police Station, Tenkasi District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J

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ORDER  
IN  
CRL OP(MD) No.17666 of 2026

Date : 17/08/2026