



Crl.O.P.No.335 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.335 of 2025

Marimuthu

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
(Crime No.677 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.677 of 2024, pending investigation on the file of the respondent Police.

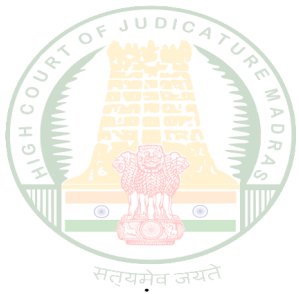
For Petitioner : Mr.M.S.Ramesh

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.677 of 2024 registered for the offences punishable under Sections 331(3) and 305(a) of BNS is on board for consideration.

2. The incarceration of the petitioner being from 08.10.2024 pleading



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innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is in no way connected with the alleged offence, however, he has been implicated in this case by the respondent for statistical purpose. He further submits that the co-accused has been granted with anticipatory bail by this court and the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused had trespassed into the house of the de facto complainant, by breaking open the door and committed theft of 25 sovereigns of gold jewels and silver articles to the tune of Rs.2,50,000/-. He also submits that only 120 grams of gold jewels have been recovered from the accused and the investigation in this case has been completed and the charge sheet has also been filed before the learned Judicial Magistrate No.I, Udumalpet and it is yet to be taken on file. He further submits that two previous cases of similar nature are pending against the petitioner.



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4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner and that the charge sheet has also been filed in this case, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one of the sureties should be the blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Udumalpet, Tiruppur**, and on further conditions that:

[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 appear before the learned **Judicial Magistrate No.I, Udumalpet, Tiruppur**, on all working days at **10.30 a.m., until further orders**;

[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the trial;

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[d] the petitioner shall not tamper with evidence or witness during trial;

[e] 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]***;

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

09.01.2025

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To

1. The Judicial Magistrate No.I,
Udumalpet, Tiruppur.
2. The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
3. The Superintendent,
Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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