



WEB COPY



Crl.O.P.No.983 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

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

Crl.O.P.No.983 of 2025

P.Aruldoss

... Petitioner

Vs.

State, Rep. by SI

Station House Officer

Karuveppilankuruchi Police Station,

Cuddalore District. (Crime No.314 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, in Crime No.314 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.N.Vijayaraj

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate

ORDER

Petition seeking bail in respect of Crime No.314 of 2024 registered for the offences punishable under Section 304(2) of BNS and later altered to one under Sections 49, 61(2), 304(A) of BNS, is on board for consideration.

2. The incarceration of the petitioner/A1 being from 30.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further



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submits that the petitioner is in no way connected with the alleged offence and that a false complaint has been lodged against her due to previous enmity. He also submits that A2 was already granted bail by this Court in Crl.OP.No.32134 of 2024 on 21.12.2024 and A3, A4, A7 & A8 were also granted by this Court on 10.01.2025. He also submits that 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 appearing for the respondent police, opposing for grant of bail, is that the accused had committed theft of 52 ½ sovereigns of gold jewels from the de facto complainant in a bus and escaped. He further submits that a total of 421 grams of gold was stolen, out of which 371 grams have been recovered. He further submits that there are no previous cases against the petitioner.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner and considering the fact that the petitioner has no bad antecedents, 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 her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two



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sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Vriddhachalam**, 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 report before the respondent Police, everyday at 10.30 a.m., until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;

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

20.01.2025

sai



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A.D.JAGADISH CHANDIRA, J.

sai

To

1. The Judicial Magistrate No.II,
Vriddhachalam.
2. The Station House Officer,
Karuveppilankuruchi Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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