



WEB COPY



CrI.O.P.No.5071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

CrI.O.P.No.5071 of 2025

Jayanthinathan

...Petitioner/Accused 1

Vs.

State through  
The Sub Inspector of Police,  
Taluk Police Station,  
Villupuram District.

(Crime No.213 of 2024)

... Respondent

**PRAYER:** This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.213 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Parthiban

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



Crl.O.P.No.5071 of 2025

WEB COPY

**ORDER**

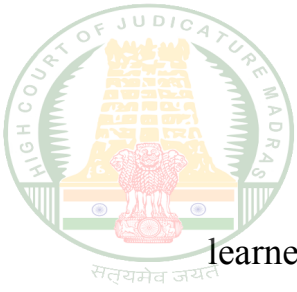
This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.01.2025, seeking bail in Crime No.213 of 2024 registered for the offence under Section 394 of IPC.

2.It is the case of the prosecution that the petitioner along with the other accused had committed theft of 6 ½ sovereigns gold chain from the defacto complainant's wife. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and that the chain has been seized and the petitioner has been in custody from 03.01.2025 and hence, further custody of the petitioner is not required.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are fifteen previous cases pending against the petitioner and the stolen article has been seized.

5.Heard the learned counsel appearing for the petitioner and the



Crl.O.P.No.5071 of 2025

learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.Considering the period incarceration, the date of offence and the fact that the stolen article has been recovered and the petitioner is on bail in all the cases and since further custody of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioner with certain conditions.

7.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**, each for a like sum to the satisfaction of the **Judicial Magistrate – I, Villupuram**, 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;**



CrI.O.P.No.5071 of 2025

WEB COPY

[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 B.N.S.

25.02.2025

ata

Copy to:

1.The Sub Inspector of Police,



CrI.O.P.No.5071 of 2025

Taluk Police Station,  
Villupuram District.

WEB COPY

2.The Judicial Magistrate – I, Villupuram.

3.The Public Prosecutor,  
High Court, Madras.

**SUNDER MOHAN, J.**

ata



WEB COPY



CrI.O.P.No.5071 of 2025

CrI.O.P.No.5071 of 2025

25.02.2025