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Crl.O.P.Nos.6376, 6403 & 6413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.6376, 6403 & 6413 of 2025

S.Sundari ... Petitioners/A2 in Crl.OP.No.6376/2025

M.Kesavan ... Petitioners/A1 in Crl.OP.No.6403/2025

Pandeeswari ... Petitioners/A3 in Crl.OP.No.6413/2025
Vs.

The State of Tamil Nadu
Rep. by its Inspector of Police
J-6, Thiruvanmiyur Police Station
Chennai (Crime No.07 of 2025)

... Respondent in all the OPs

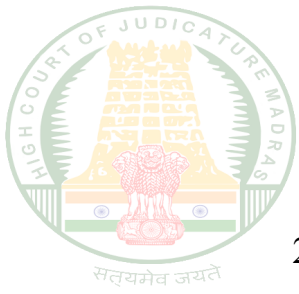
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioners on bail in Crime No.07 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Lakshmikanth
(in all the OPs)

For Respondent : Mr.Leonard Arul Joseph Selvam
Learned Government Advocate (Criminal Side)
(in all the OPs)

COMMON ORDER

This Criminal Original Petitions have been filed by the Petitioners/A2, A1 & A3, who were arrested and remanded to judicial custody on 08.02.2025, seeking bail in Crime No.07 of 2025 registered for the offence under Section 303(2) of BNS [379 of IPC].



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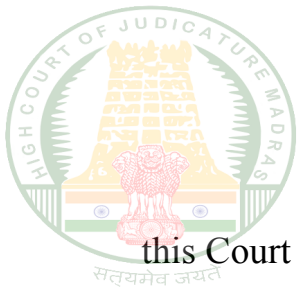
2.The case of the prosecution is that the petitioners stole 40 grams of gold coins from the jewellery shop owned by the de facto complainant.

3.Learned counsel appearing for the Petitioners submitted that the Petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the Petitioners are in custody from 08.02.2025 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the Petitioners, reiterated the prosecution case. The learned Government Advocate further submitted that 8 grams of gold coins have been recovered from the petitioners and that charge sheet has been filed before the trial Court. He further submitted that there are two previous cases against the first petitioner/A2.

5.Heard the learned counsel appearing for the Petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration undergone by the Petitioners, the fact that charge sheet has been filed before the trial Court and the first petitioner/A2 was released on bail in all the previous cases, and since further custody is not required for the purpose of interrogation,



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this Court is inclined to grant bail to the Petitioners with certain conditions.

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7. Accordingly, the Petitioners is ordered to be released on bail on their executing a separate 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 learned Principal Judge, Chennai 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 Petitioners shall report before the trial Court concerned, on all the hearing dates at 10.30 a.m., until further orders;

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

[d] the Petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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.

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To

- 1.The Principal Judge, Chennai.
- 2.The Inspector of Police
J-6, Thiruvanmiyur Police Station
Chennai
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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