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Crl.O.P.No.6921 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6921 of 2025

Karthik

... Petitioner/ A4

Vs.

The State represented by,
The Inspector of Police,
M-2, MM Colony Police Station.
(Crime No.363 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.363 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.U.Ganesh Kumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.12.2024, seeking bail in Crime No.363 of 2024 registered for the offences under Sections 305(a) and 331(3) of BNS, 2023 [Sections 380 and 453 of IPC].



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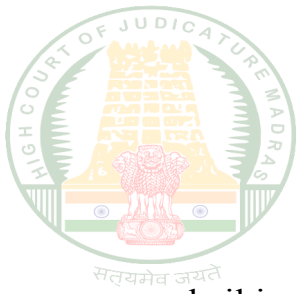
2. The case of the prosecution is that the petitioner trespassed into the house of the defacto complainant and committed theft of the gold jewels worth about Rs.3,50,000/-. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegation against the petitioner is false and in any case, petitioner is in custody from 17.12.2024 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that, petitioner has three previous cases and in those cases, petitioner is on bail.

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

6. Considering the period of incarceration; the fact that the petitioner is



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on bail in other cases; and since further custody is not required for the purpose of investigation, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate at Madhavaram** 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



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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.

11.03.2025

Sma

To

1. District Munsif Cum Judicial Magistrate,
Madhavaram.
2. The Inspector of Police,
M-2, MM Colony Police Station.
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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