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Crl.O.P.No.7177 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7177 of 2025

R.Boopathi

...Petitioner/Accused 4

Vs.

State rep by
The Inspector of Police,
Annur Police Station,
Coimbatore District.

(Crime No.65 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.65 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.D.Sugumar

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 02.02.2025, seeking bail



in Crime No.65 of 2025 registered for the offence under Section 310(2) of the Indian Penal Code (IPC) for BNS.

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2.It is the case of the prosecution that while the defacto complainant and his co-workers were returning home, the petitioner along with the other accused had waylaid them, threatened them by brandishing knife and beer bottle and had transferred a sum of Rs.25,000/- through G-pay from the defacto complainant's mobile and snatched three mobile phone from the co-workers. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false and the stolen articles and the amount have been recovered; that the petitioner is in custody from 02.02.2025 and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the stolen articles and the cash of Rs.25,000/- have been recovered and that the petitioner has three previous cases, out of which, two of them have been disposed of and the remaining



one case is registered under Section 427 of IPC and he is on bail in all the previous case.

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5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that the stolen articles and the cash have been recovered, the fact that the petitioner is on bail in the previous case and since further custody of the petitioner is not required, 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 **District Munsif cum Judicial Magistrate, Annur**, 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;

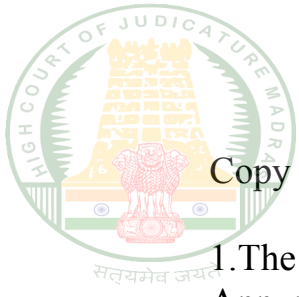
[d] the petitioner shall not tamper with evidence or witness either
during investigation or trial;

[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 B.N.S.

12.03.2025

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Copy to:

- 1.The Inspector of Police,
Annur Police Station,
Coimbatore District.
- 2.The District Munsif cum Judicial Magistrate, Annur.
- 3.The Superintendent of Prison,
Central Prison, Coimbatore District.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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