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CRL O.P. No.7764 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.7764 of 2025

1. Vignesh S/o. Ramasekar
2. Subramanian S/o. Arunachalam
3. Aravinth S/o. Ravi .. Petitioners / Accused 1, 2 & 5

Vs

State rep. by:-

The Inspector of Police,
Perumanallur Police Station,
Tiruppur District. ... Respondent
[Cr. No.62 of 2025]

PRAYER:- Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Crime
No.62 of 2025, pending investigation on the file of the respondent
Police.

For Petitioner : Mr. P. Veerananarayana

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER



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This Criminal Original Petition has been filed by the petitioners/A1, A2 and A5, who were arrested and remanded to judicial custody on 05.02.2025, seeking bail in Crime No.62 of 2025 registered for the offences under Section 305(a) of B.N.S.

2. The case of the prosecution is that the petitioners had committed theft of Aluminium Joint cupplings and coils worth about Rs.1,25,000/- from the defacto complainant's workplace.

3. The learned counsel for the petitioners would contend that the petitioners have nothing to do with the offences as alleged by the prosecution; that co-accused were already granted bail and that considering the period of incarceration of the petitioners, prayed that the petitioners may be granted bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and on instructions submitted that A2 has



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12 previous cases, out of which, 10 cases were disposed of and in the remaining 2 cases, he is on bail; that the petitioner/A1 has 6 previous cases, in which, he is on bail and the petitioner A5 has no bad antecedents.

5. At this juncture, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw the petition with respect to the petitioner/A1 and he has also made an endorsement to that effect. In view of the submission and the endorsement made by the learned counsel for the petitioners, this Criminal Original Petition is **'dismissed as withdrawn' with respect to the petitioner/A1.**

6. As far as the petitioners / A2 and A5 are concerned, considering the aforesaid facts, the nature of allegations against the petitioners/A2 and A5, period of incarceration, the fact that the petitioner/A2 is on bail in other cases, the petitioner/A5 has no bad antecedents, co-accused were already granted bail and since further custody of the petitioners/A2 and A5 is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners/A2 and A5 are ordered to be released on bail on their 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 learned **Judicial Magistrate, Avinasi.**

[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 respondent Police, everyday 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



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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.

17.03.2025

mjs

To

1. The Judicial Magistrate, Avinasi.
2. The Inspector of Police, Perumanallur Police Station, Tiruppur District.
3. The Superintendent of Police, Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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