



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.12086 of 2025

N.Thiyagarajan

... Petitioner / Accused 7

Vs.

State represented by
The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur.

(Crime No.127 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Crime
No.127 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. K.Sudhakar

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

ORDER

This Criminal Original Petition has been filed by the
petitioner/accused, who was arrested and remanded to judicial custody on
06.03.2025, seeking bail in Crime No.127 of 2025 registered for the



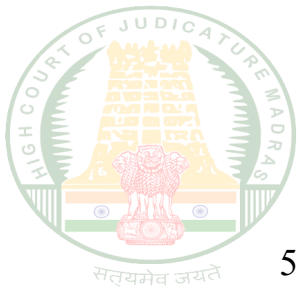
offences under Sections 126(2), 319(2), 140(3), 309(4) @ 126(2), 319(2), 310(2) and 140(3) of B.N.S, 2023.

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2. The case of the prosecution is that the defacto complainant is doing gold business; that he had taken Rs.1,10,00,000/- for purchasing gold; that at that time, the petitioner along with other accused had kidnapped the defacto complainant in a car and robbed a sum of Rs.1,10,00,000/- along with his mobile phone. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that the similarly placed co-accused were granted bail by this Court in Crl.O.P.Nos.11388 & 12013 of 2025 on 17.04.2025 and 22.04.2025; that the petitioner is in custody from 06.03.2025; and hence, further custody is not required for the purpose of investigation and sought for bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the out of robbed amount of Rs.1,10,00,000/-, a sum of Rs.99,16,000/- has been recovered and that he also confirmed the fact that the co-accused were granted bail by this Court.



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5. Considering the nature of allegations, period of incarceration, the fact that the major portion of the robbed amount has been recovered, the co-accused were granted bail by this Court in Crl.O.P.Nos.11388 & 12013 of 2021 on 17.04.2021 and 22.04.2021 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.

6. 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 learned **Judicial Magistrate, Palladam** 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;



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Crl. O.P. No.12086 of 2021

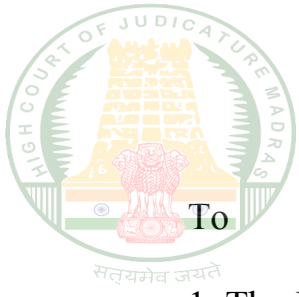


[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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.

23.04.2025

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Crl. O.P. No.12086 of 2021



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1. The Judicial Magistrate, Palladam.
2. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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Crl. O.P. No.12086 of 2025:



SUNDER MOHAN., J.
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