



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.14124 of 2025

Sandhya

...Petitioner/Accused 4

Vs.

State rep by
The Inspector of Police,
Thammampatty Police Station,
Salem.

(Crime No.81 of 2025)

... Respondent

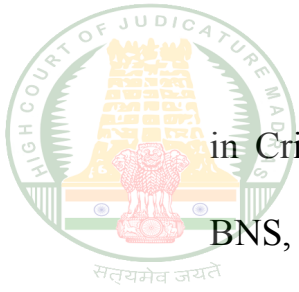
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.81 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Loganathan

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 05.04.2025, seeking bail



in Crime No.81 of 2025 registered for the offence under Section 311 of BNS, 2023.

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2.It is the case of the prosecution that on 29.03.2025 at about 7.40 p.m., the petitioner along with the other accused conspired together, trespassed into the house of the defacto complainant, threatened her and her daughter-in-law and under threat of causing a knife injury, took away 20 sovereigns of gold jewels and cash of Rs.10,000/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; that she has no bad antecedents; and that in any case, considering the period of incarceration since 05.04.2025, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that as on date, cash of Rs.7,000/- and 6 ½ sovereigns of gold jewels were recovered from the accused and that the petitioner has no bad antecedents.



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

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6.Considering the nature of allegations, the period of incarceration, the fact petitioner has no bad antecedents, a portion of the stolen articles and cash were recovered and since further custody of the petitioner 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 her 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 **Judicial Magistrate No.II, Attur**, 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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[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.

30.04.2025

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Copy to:

1.The Inspector of Police,
Thammampatty Police Station,
Salem District.

2.The Judicial Magistrate No.II, Attur.

3.The Superintendent of Prison, Central Prison, Salem District.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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