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CRL OP No. 15124 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15124 of 2025

1. Sarvar Ali

S/o.Misar Ali, No.10-198-536-200, 1A
Gajii Reddy Palli, Kadiri Anantapur,
Andhra Pradesh Pin 515591

Petitioner(s)

Vs

1. State Rep by, The Inspector of police
Vishnu Kanchi Police Station,
Kancheepuram. Crime No.50 of 2025

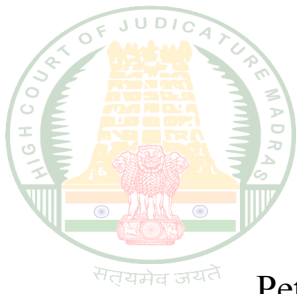
Respondent(s)

PRAYER

This Criminal Original Petitions is filed to enlarge the petitioner on bail in Crime No.50 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.A.Saranraj

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



ORDER

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Petition seeking bail in respect of Crime No.50 of 2025 registered for the alleged offences punishable under Sections 305 of BNS (under Section 380 of IPC), is on board for consideration.

2. The case of the prosecution is that on 17.02.2025 at about 03.00 p.m., petitioner went to the defacto complainant's jewellery shop and stolen 3 ½ sovereigns of gold. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 17.02.2025. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the

respondent reiterated the prosecution case and submitted that three sovereigns of gold jewels were recovered from the petitioner and remaining half a sovereign yet to be recovered and that the petitioner has no bad antecedents and charge sheet was filed and yet to be taken on file. Hence, opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the stage of investigation, the submissions made by the learned counsels on either side, the fact that 3 sovereigns of gold were recovered by the respondent police and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following conditions:

(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate No.1, Kancheepuram.**

(2) **The petitioner shall report before the before the Trial Court**



on hearing dated without fail.

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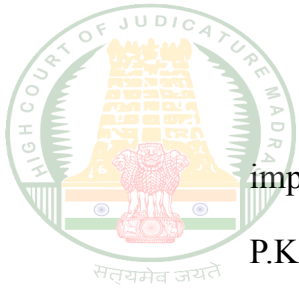
(3) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(6) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are



imposed by themselves as laid down by the Hon'ble Supreme Court in
P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

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(8) If the accused thereafter absconds, a fresh FIR can be registered
under Section 269 of B.N.S.

14.05.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**



To
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1.State Rep by, The Inspector of police
Vishnu Kanchi Police Station,
Kancheepuram. Crime No.50 of 2025.

2. The Judicial Magistrate No.1,
Kancheepuram.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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