



Crl.O.P.No.15264 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.15264 of 2025

P.Uma Shankar

... Petitioner/Accused

Vs.

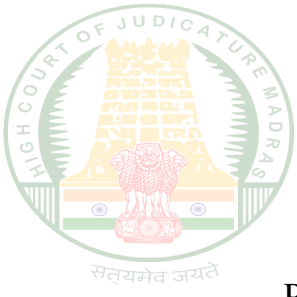
The Inspector of Police,
Velagoundampatty Police Station,
Namakkal District.
(Crime No.34 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in Crime No.34 of 2025 on the file of Inspector of Police, Velagoundampatty Police Station, Namakkal District.

For Petitioner : Mr.M.Muneeswaran

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



Crl.O.P.No.15264 of 2025

ORDER

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Petition seeking bail in respect of Crime No.34 of 2025 registered for the alleged offence punishable under Section 303 of BNS is on board for consideration.

2.The case of the prosecution is that the defacto complainant is the owner of a Maruti Omni car bearing Registration No. TN 54 M 6275. On 16.03.2025, when the defacto complainant went to pick up the car to visit his relatives house, he found that the car was missing. It was found that unknown persons had stolen the vehicle, which is valued at approximately Rs.1,50,000/-. Hence, this complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a car mechanic, who is running the workshop at Namakkal and doing tinkering and car repairing work. A person brought the vehicle to the workshop and left it for repairs. He further submitted that the petitioner has been falsely implicated in this case and he had not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in jail from 30.03.2025

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



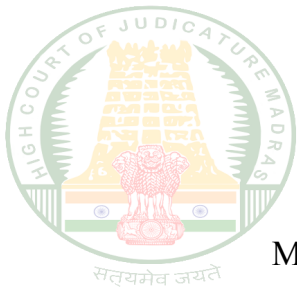
respondent, on instruction submitted that, the petitioner is a habitual offender and committed the theft of the car. Investigation completed and a charge sheet has also been filed. He further submitted that the petitioner has 12 previous cases and the case property has been recovered.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and in view of the fact that the period of incarceration undergone by the petitioner and the case property has been recovered and charge sheet has also been filed, 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-I, Namakkal;**

(2) **The petitioner shall appear before the respondent police as and when required for interrogation;**

(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



CrI.O.P.No.15264 of 2025

WEB COPY

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;

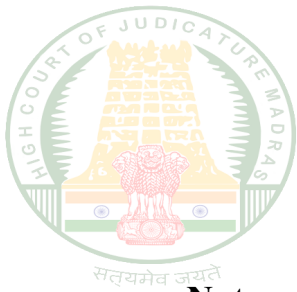
(6) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(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].

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

15.05.2025

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CrI.O.P.No.15264 of 2025

Note:-

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- 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

1. The Judicial Magistrate No.1, Namakkal.
2. The Inspector of Police,
Velagoundampatty Police Station,
Namakkal District.
(Crime No.34 of 2025)
3. The Superintendent,
District Prison, Namakkal Jail.
4. The Public Prosecutor,
High Court, Madras.



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CrI.O.P.No.15264 of 2025

M. NIRMAL KUMAR, J.

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CrI.O.P. No.15264 of 2025

15.05.2025