



WEB COPY



CrI.O.P.No.17253 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17253 of 2025

Raja

... Petitioner/A2

Vs.

State rep. by

The Inspector of Police,

Udumalaipettai Police Station,

Tirupur District.

(Crime No.578 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.578 of 2024 on the file of the respondent/police.

For Petitioner : Mr.M.Kalaiyaran

For Respondent : Mr.L.Baskaran

Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.09.2024, for the offences punishable under Sections 305, 331(4) of BNS,



Crl.O.P.No.17253 of 2025

WEB COPY

2023 in connection with Crime No.578 of 2024, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused trespassed into the de-facto complainant's house and committed theft of two wheeler. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused/A3 has been granted bail by this Court in Crl.O.P.No.16720 of 2025 on 13.06.2025. He further submitted that investigation in this case completed, charge sheet filed and the trial has commenced. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that that the co-accused/A3 has been



Crl.O.P.No.17253 of 2025

granted bail by this Court in Crl.O.P.No.16720 of 2025 on 13.06.2025. He further submitted that investigation in this case completed, charge sheet filed and the trial has commenced

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side and the fact that the co-accused/A3 has been granted bail by this Court in Crl.O.P.No.16720 of 2025 on 13.06.2025, further, the investigation in this case has been completed, charge sheet filed and the trial has commenced, 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 his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Udumalaipettai**, and on further conditions that:



WEB COPY



CrI.O.P.No.17253 of 2025

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the trial Court on all hearing dates without fail;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in



WEB COPY



CrI.O.P.No.17253 of 2025

accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18.06.2025

(3/3)

rsi

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 the official website of this Court will be watermarked and will also have a QR code.



WEB COPY



Crl.O.P.No.17253 of 2025

M.NIRMAL KUMAR, J.

rsi

To

1.The Judicial Magistrate No.I,
Udumalaipettai.

2.The Inspector of Police,
Udumalaipettai Police Station,
Tirupur District.

3.The Superintendent,
Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17253 of 2025

18.06.2025

(3/3)