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CrI.O.P.No.17960 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17960 of 2025

Vishnu

... Petitioner

Versus

The State of Tamil Nadu Represented by
The Inspector of Police,
Kandhili Police Station,
Thirupathur District.
(Cr.No.135 of 2025)

... Respondent

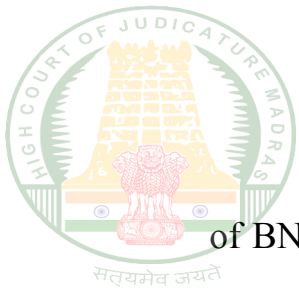
PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.135 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Rajesh

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.05.2025, for the offence punishable under Sections 331(4), 305(a)



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of BNS, 2023 (457, 380 IPC) in connection with Crime No.135 of 2025,

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registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the defacto complainant is running old iron shop for the past 5 years near Anna Nagar bus stop, S.Pallipattu. On 28.05.2025, at about 07.30 hours in the evening, the defacto complainant closes his shop and came back on 29.05.2025 at about 07.00 hours in the morning came and opened the shop. At that time, some unknown persons broken the lock and robbed Rs.3,000/- that was in the cash box and 4 kilograms of copper wire worth about Rs.4,000/-.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence as alleged. He further submits that the respondent police had foisted this false case. Further, he submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.



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4. Learned Additional Public Prosecutor submitted that if the petitioner is enlarged on bail, he would abscond and may commit similar offence and tamper the witnesses. Therefore, he opposed for grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, 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.II, Tirupattur** and on further conditions that:

[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



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copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[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 defacto complainant and witnesses;

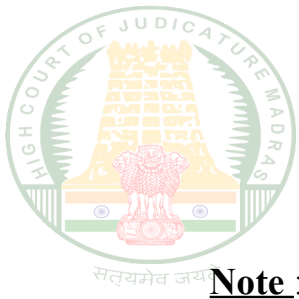
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

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

To

- 1.The Judicial Magistrate No.II,
Tirupattur.
- 2.The Inspector of Police,
Kandhili Police Station,
Thirupathur District.
- 3.The Superintendent,
Sub Jail, Tirupattur.
- 4.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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