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CRL OP No. 18251 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18251 of 2025

Sabaharini

..Petitioner

Vs.

The State represented by
The Inspector of Police
Thammapatti Police Station
Salem District
Crime No.81 of 2025.

..Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
connection with Cr.No.81/2025 on the file of the respondent police.

For Petitioner	:	Mr.T.Ganesan
For Respondent	:	Mr. R.Vinothraja
		Government Advocate (Crl.side)

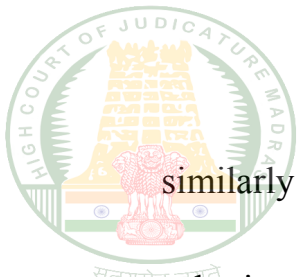
**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 09.05.2025, for the offences punishable under Sections 311 of BNS altered to Sections 310(2) r/w 311, 332(a), 111 and 317(3) of BNS (395, 397, 449, 308, 412 of IPC) in connection with Crime No.81 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 29.03.2025 at about 07.40.p.m., petitioners along with other accused entered into the house of the defacto complainant and robbed a sum of Rs.10,000/- and snatched 20 sovereigns of gold chain. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is no way connected with the alleged offence and she has been implicated based on the confession of the co-accused, however, he is suffering incarceration from 09.05.2025. He also submitted that



similarly placed co-accused were granted bail by this Court. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed 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 on 09.05.2025, petitioner was arrested by the respondent police and from her, five sovereigns of gold were seized. He further submitted that there is no previous cases against 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, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Attur**, 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 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 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



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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.

01.07.2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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.



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M.NIRMAL KUMAR J.

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1. Judicial Magistrate No.II,
Attur.
2. The Inspector of Police,
Thammampatty Police Station,
Salem District.
3. The Superintendent,
Sub jail, Salem.
4. The Public Prosecutor,
High Court of Madras.

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