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Crl.O.P.No.20446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20446 of 2025

M.Raja

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
Udumalaipettai Police Station,
Tiruppur District.
(Crime No.629 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.629 of 2024 on the file of the respondent.

For Petitioner : Mr.V.K.Vengadesh Durai Raja

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 20.09.2024, for the offence punishable under Sections 331(4), 305 and 62
of BNS, 2023 (457, 380 and 511 of IPC) in Crime No.629 of 2024, registered
on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner broke open the de facto complainant's house and attempted to commit theft of jewels and valuable articles, there was no cash or jewel kept in the locker. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that initially, the petitioner was detained under Act 14 and the detention order was set aside by this Court. He also submitted that the petitioner was already granted bail by this Court in ten other cases. Hence, he prayed for grant of bail to the petitioner.

4. The 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 the petitioner is a habitual offender having several previous cases. He further submitted that the investigation in this case has been completed.

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



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6. Considering the facts and circumstances of the case, submissions made by the learned counsel 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.I, Udumalaipettai, Tiruppur** 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 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



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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.

07.08.2025

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.



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To

1.The Judicial Magistrate No.I,
Udumalaipettai, Tiruppur.

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

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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