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Crl.O.P.Nos.20172, 20218 & 20219 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.20172, 20218 & 20219 of 2025

E.Suresh

... Petitioner/Accused in all Crl.O.Ps.

Vs.

The State Rep. By
The Inspector of Police,
Veeraganur Police Station,
Salem District.
(Crime No.50 of 2021)

... Respondent in Crl.O.P.No.20172/2025

The State Rep. By
The Inspector of Police,
Attur Town Police Station,
Salem District.
(Crime No.141 of 2021)

... Respondent in Crl.O.P.No.20218/2025

The State Rep. By
The Inspector of Police,
Veeraganur Police Station,
Salem District.
(Crime No.49 of 2021)

... Respondent in Crl.O.P.No.20219/2025

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime Nos.50, 141 and 49 of 2021, respectively on the file of the respondent police.



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For Petitioner : Mr.P.Dineshkumar
in all Crl.O.Ps

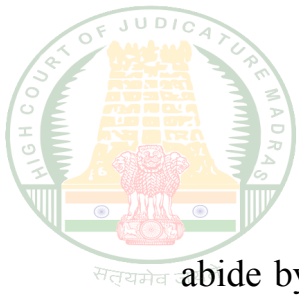
For Respondent : Mr.R.Vinothraja
in all Crl.O.Ps Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.09.2024 and 13.10.2024 in the respective cases, for the offence punishable under Sections 395, 397 and 457 of I.P.C. in connection with Crime Nos.50, 141 and 49 of 2021, respectively, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner break open the door of the de-facto complainant's house and pulled the de-facto complainant and his family member to the bedroom and robbed 30 sovereigns of gold jewels and cash (in the above three cases). Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to



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abide by any stringent condition that may be imposed by this Court. 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 in Crime No.50 of 2021, absconding charge sheet filed against the petitioner and thereafter, he secured under PT warrant and the case is pending in PRC No.23 of 2023 before the learned Judicial Magistrate No.I, Attur. In Crime No.141 of 2021, investigation completed and the case is pending in PRC No.13 of 2023 before the learned Judicial Magistrate No.I, Attur, in which, NBW is pending against A1, A4 and A7. In Crime No.49 of 2021, NBW issued on 22.05.2023 and the petitioner was secured under PT warrant on 17.03.2025 and the case is pending in PRC No.22 of 2023 before the learned Judicial Magistrate No.I, Attur, in which, NBW is pending against A2 and A6. He further submitted that the petitioner was arrested by the Udumalpet Police in another crime number and the same is under PRC stage. In that case, the petitioner was granted bail in Crl.O.P.No.16755 of 2025 on 13.06.2025. He further submitted that the petitioner has got 27 previous cases of similar nature.



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5. Heard the learned counsel appearing on both sides.

6. Considering the submissions made 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)** in each case with two sureties, of whom, one surety should be a blood surety or from the family member and another surety can be a local surety, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, 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 **Committal Court on every Monday to Friday at 10.30**



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a.m. and shall report before the Attur Town Police Station, Salem on every Saturday and Sunday at 10.30 a.m. without fail, until further orders;

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

[d] 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;

[e] 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]**;

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

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M.NIRMAL KUMAR, J.

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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.

To

1.The Judicial Magistrate No.I,
Attur.

2.The Inspector of Police,
Veeraganur Police Station,
Salem District.

3.The Inspector of Police,
Attur Town Police Station,
Salem District.

4.The Superintendent,
Central Prison, Coimbatore.

5.The Public Prosecutor,
High Court of Madras.

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