



Crl.O.P.No.20581 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2025

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THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.20581 of 2025

Gunasekaran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Avinashipalayam Police Station.
Tiruppur.
(Crime No.318 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.318 of 2025 on the file of the respondent Police.

For Petitioner : Mr.P.Thinesh

For Respondent : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

The petitioner herein was arrested on 11.06.2025 in Crime No.318 of 2025 on the file of the respondent Police for the alleged offences under Sections 331(3) & 305 of BNS.



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2. Learned counsel appearing for the petitioner submitted that the petitioner was remanded to judicial custody on 11.06.2025 and till date, the respondent Police have not filed the final report. That apart, the petitioner is an innocent person and on mere suspicion, he has been roped in as an accused in this case.

3. Learned Government Advocate (Criminal Side) opposed the bail petition stating that the silver articles and a cash of Rs.13,000/- were stolen from the house of the de facto complainant. The cash has not yet been recovered and the other accused is still absconding. The petitioner is a notorious criminal having 14 previous cases.

4. Considering the facts of the case, the delay in filing the final report and the fact that the petitioner was arrested on 11.06.2025 and that the investigation in this matter is still pending, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Palladam**, and on further conditions that :



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[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 Investigating Officer twice daily, at 10.00 a.m. and 5.00 p.m., until further orders;

[c] 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]**;

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

11.08.2025

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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.



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Dr.G.JAYACHANDRAN, J.

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To

1. The Judicial Magistrate,
Palladam.
2. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur.
3. The Superintendent,
Central Prison,
Tiruppur.
4. The Public Prosecutor,
High Court of Madras.

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