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Crl.O.P.No.20572 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20572 of 2025

M.Raja

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kangeyam Police Station,
Tiruppur District.
(Crime No.440 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.440 of 2024 on the file of the respondent.

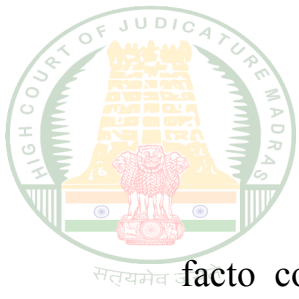
For Petitioner : Mr.V.K.Vengadesh Durai Raja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 26.09.2024, for the offence punishable under Sections 331(4) & 305(a) of
BNS, in Crime No.440 of 2024, registered on the file of the respondent,
seeks bail.

2. The case of the prosecution is that the accused broke open the de



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facto complainant's house and committed theft of 26 sovereigns of gold jewels and a cash of Rs.2.10 lakhs. Hence, the case.

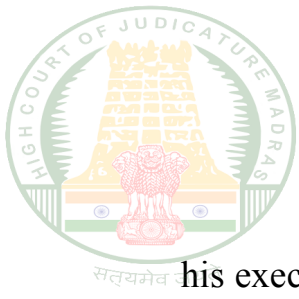
3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that initially, the petitioner was detained under Act 14 and the detention order was set aside by this Court. He also submitted that the petitioner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

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner stating that the petitioner is 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.

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and taking note of 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



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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, Kangeyam, 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 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

M.NIRMAL KUMAR, J.



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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.

22.07.2025

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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.

To

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

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