



Crl.O.P.No.21033 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21033 of 2025

1. Jeevarathinam

2. Suriya

... Petitioners/A1 & A2

Vs.

The State represented by,
The Inspector of Police,
Redhills Police Station.
(Crime No.443 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.443 of 2025 pending on the file of the respondent Police.

For Petitioners : M/s.C.Abirami Dharanya

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 27.06.2025, for the offences punishable under Sections 331(4) & 305 r/w 61(2) of BNS, in Crime No.443 of 2025, on the file of the respondent, seek bail.



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2. The case of the prosecution is that the accused had committed theft of 4000 numbers of Aluminium clamps and 40 numbers of Aluminium frames. Hence the case.

3. The contention of the learned counsel appearing for the petitioners is that the petitioners are innocent and have been falsely implicated in this case since they have several previous cases. He further submitted that the co-accused in this case have been granted with bail and anticipatory bail by this Court. Hence, he prayed for the grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution case and opposed for the grant of bail to the petitioners/A1 & A2 stating that the first petitioner herein has nine previous cases and in respect of the second petitioner, six previous cases are pending. He further submitted that the stolen articles were recovered.

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

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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, Ponneri** , 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 petitioners shall report before the respondent Police everyday at 10.30 a.m., for a period of thirty days and thereafter, as and when required for further interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as



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M.NIRMAL KUMAR, J.

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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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

28.07.2025

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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 No.II,
Ponneri .
2. The Inspector of Police,
Redhills Police Station.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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