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Crl.O.P.No.21295 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21295 of 2025

Rakesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
V5, Thirumangalam Police Station,
Chennai.
Crime No.336 of 2025.

... Respondent

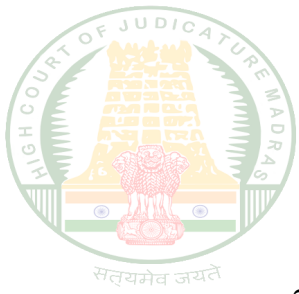
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending investigation in Crime No.336 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Sujan Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.07.2025, for the offence punishable under Section 305 of BNS, in Crime No.336 of 2025, registered on the file of the respondent Police, seeks bail.



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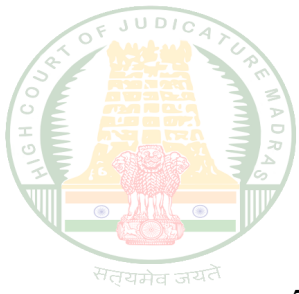
2. The case of the prosecution is that the accused had committed theft of groceries from the super market by concealing the products in his dress on several occasions. Based on the complaint given by the de facto complainant, who is the Manager of the super market, the present case was registered.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of bail to the petitioner. He further submitted that CCTV footages are also available to connect the petitioner to the crime. He also submitted that there is no previous case against the petitioner.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels 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.



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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 **XIII Metropolitan Magistrate, Egmore, Chennai** 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 respondent Police everyday at 10.30 am., for a period of two weeks and thereafter, as and when required for interrogation;

[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 himself as



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

30.07.2025

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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 XIII Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
V5, Thirumangalam Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai – 66.
4. The Public Prosecutor,
High Court, Madras.

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