



Crl.O.P.No.21761 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21761 of 2025

S.Rajendran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vickiramangalam Police Station,
Ariyalur. (Crime No.114 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.114 of 2025 on the file of the respondent Police.

For Petitioner : Mr.E.Sivanandan

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

ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 10.06.2025 for the offences punishable under Section 35(1) (e), 106 of BNS and 331(3), 331(4), 305 of BNS, in Crime No.114 of 2025 on the file of the respondent police, seeks bail.



Crl.O.P.No.21761 of 2025

WEB COPY

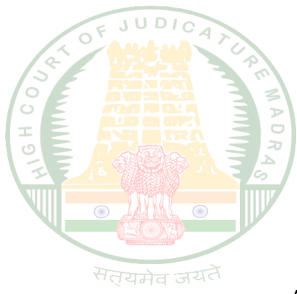
2. The case of the prosecution is that on 22.05.2025, when the respondent police was on patrol duty, during the search in the villages of Vikramangalam, Keelanatham and Alavai they found the accused, on seeing the police, they escaped from the spot leaving behind the two wheeler and the sack, in which they found pedestal and 4 old Lord Shiva Statues. Hence, the complaint.

3. The contention of the petitioner is that the petitioner, aged about 70 years, is an innocent person and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prayed for grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He also submitted that the petitioner has no previous case pending against him.

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

6. Considering the submissions made by the learned counsel appearing on either side and taking note of the nature of allegation and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.



CrI.O.P.No.21761 of 2025

WEB COPY

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 **Judicial Magistrate No.I, Jayankondam**, 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 a.m., for a period of three 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;



WEB COPY



CrI.O.P.No.21761 of 2025

[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 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.

05.08.2025

drl

To

1. The Judicial Magistrate No.1,
Jayankondam.
2. The Inspector of Police,
Vickiramangalam Police Station,
Ariyalur.
3. The Superintendent, Central Prison,
Trichy.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.21761 of 2025

M.NIRMAL KUMAR, J.

drl

Crl.O.P.No.21761 of 2025

05.08.2025