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Crl.OP.No.22524 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22524 of 2025

Arunkumar

... Petitioner

Vs.

State Rep by
The Sub Inspector of Police
Latheri Police Station,
Vellore District,
Tamilnadu.
(Cr.No.36 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.36 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

The petition for bail for the offence punishable under Section 303(2)
of BNS 2023 in Crime No.36 of 2025, registered on the file of the
respondent police.



2. The petitioner was arrested on 19.06.2025 for the alleged theft of two wheeler.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person, he has not committed any such offence as alleged by the prosecution and he 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 grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and stated that this petitioner along with A2 who is absconding had involved in multiple cases of vehicle theft and in so far as this case arising out of an FIR in Cr.No.36 of 2025 dated 28.03.2025, the vehicle bearing Regn.No.TN-23-AU-9335 Hero Honda Splendor already been recovered. Since the co-accused is absconding, final report not yet filed. Hence, he opposed to grant bail to the petitioner.



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

6. Considering the fact that the petitioner is in prison for more than 55 days and final report not yet filed, the vehicle involved in the theft already been recovered, the petitioner is entitled to be granted bail, subject to certain conditions.

7. 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 **Judicial Magistrate, Katpadi** 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 daily at 10.30.a.m., and 05.30p.m until further orders;



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[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.

13.08.2025

Vv

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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To

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1. The Judicial Magistrate, Katpadi
2. The Sub Inspector of Police,
Latheri Police Station,
Vellore District,
Tamilnadu.
3. The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

Vv

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