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Crl.OP.Nos.23034 & 23088 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.Nos.23034 & 23088 of 2025

1. K.Ajith Kumar ... Petitioner in Crl.O.P.No.23034 of 2025

2.Albeno Christy ... Petitioner in Crl.O.P.No.23088 of 2025

Vs.

State, represented by
The Inspector of Police,
T3 Pallavaram Police Station,
Tambaram. ... Respondent in both Crl.O.Ps
(Cr.No.384 of 2025)

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Cr.No.384 of 2025, on the file of the respondent.

For Petitioners : Mr.T.Muruganandam
For Mr.S.Krishnamoorthy
(in Crl.O.P.No.23034 of 2025)

Mr.M.Rajavelu
(in Crl.O.P.No.23088 of 2025)

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



ORDER

The petitioners, who were arrested and remanded to judicial custody on 09.07.2025 for the offence punishable under Section 305 of BNS Act in Crime No.384 of 2025, seek bail.

2. The petitioners herein were arrested for the alleged theft of 30 Apple iPhone from the company premises.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police states that these petitioners have stolen 30 Apple iPhones totally worth about Rs.8/- Lakhs and sold the same to the traders in Burma Bazaar and shared the sale price. So far, the prosecution able to recover only 12 cell phones and remaining phones are yet to be recovered.

4. Considering the fact that the custody of these petitioners may not require any further, if they cooperate with the investigation in tracing the remaining phones, this Court is inclined to grant bail to the petitioner with with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) each, with two sureties, each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Pallavaram, 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 petitioners shall report before the respondent police twice everyday at 10.00 a.m., and 5.00 p.m., until further orders;

[c] 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 laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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[d] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

03.09.2025

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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 District Munsif Cum Judicial Magistrate, Pallavaram, Chennai.
2. The The Inspector of Police,
T3 Pallavaram Police Station,
Tambaram.
3. The Central Prison-II, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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