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Crl.O.P.No.23407 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

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

Crl.O.P.No.23407 of 2025

Murali

... Petitioner/Accused

Vs.

The State of Tamil Nadu Represented by
The Sub Inspector of Police,
Kandhili Police Station,
Thirupathur District.
(Crime No.135 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.135 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Elaiyaraja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.08.2025, for the offence punishable under Sections 331(4), 305(a) of The Bharatiya Nyaya Sanhita (BNS), 2023 (457, 380 IPC), in Crime No.135 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that on 28.05.2025, at about 7.30 p.m., the de-facto complainant closed his shop and, on the next day, i.e., 29.05.2025, at about 7.00 a.m., when he opened the shop, he found that some unknown persons had broken the lock and robbed Rs.3,000/- kept in the cash box and 4 kilograms of copper wire worth about Rs.4,000/-. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged offence. He further submitted that the respondent Police have foisted a false case against the petitioner. He also submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that if the petitioner is enlarged on bail, he may abscond, commit a similar offence, and tamper with the witnesses. He further submitted that the cash has not yet recovered. Therefore, he opposed the grant of bail to the petitioner.

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

6. Considering the nature of the offence alleged against the petitioner and the progress of the investigation, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on their executing a separate 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 **Judicial Magistrate No.II, Tirupattur**, 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 appear before the respondent Police daily at 10.30 a.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

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FIR can be registered under Section 269 of B.N.S.

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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, Tirupattur
- 2.The Sub Inspector of Police,
Kandhili Police Station,
Thirupathur District.
- 3.The Sub Jail, Tirupattur.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
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