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CRL OP No. 24321 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24321 of 2025

1. Sanjay

S/o.Gopal, No.5/136A, Pallar Street,
Palappatti, Mohanur Taluk, Namakkal
District. and another

2. Muthukumaran

S/o.Ganesan, No.5/119-A,
Keelpalappatti, Mohanur Taluk,
Namakkal District.

Petitioner(s)

Vs

1. The Inspector of Police,
Nallipalayam Police Station, Namakkal
District. Crime No.147/2025

Respondent(s)

CRL OP No. 24321 of 2025

PRAYER

To order enlarge the petitioners on bail in Crime No.147 of 2025 on the file of



the respondent.

CRL OP No. 24321 of 2025



CRL OP No. 24321 of 2025

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For Petitioner(s): C.Deepakkumar
P.Hasnah

For Respondent(s): Mr. A. Gopinath,
Government Advocate Crl. side

ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.07.2025, for the offence punishable under Sections 331 (4), 305 (a) of BNS, in Crime No.147 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that, the petitioners and other accused broke open the Godown of the defacto-complainant and stolen 4 tons of Maize. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they had been falsely implicated in this case by the respondent Police. He also submits that the petitioners had been in judicial custody from 13.07.2025. Hence, prays for grant of bail to the petitioners. 4.The learned Government Advocate (Criminal side) appearing for the respondent Police submits that, the stolen article has not yet been recovered. He further



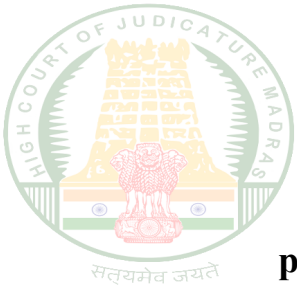
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submits that the other accused have not yet been secured. Since, the investigation is still pending, he strongly opposes the grant of bail to the petitioners.

4. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed in this case. Hence, this court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioners are directed to **deposit a sum of Rs.25,000/- each as non-refundable deposit to the credit of crime No. 147 of 2025 and the defacto complainant is permitted to withdraw the same by filing undertaking affidavit**, and on such deposit, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the *Judicial Magistrate No.I, Namakkal*, and on further conditions that::

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioners shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

08-09-2025

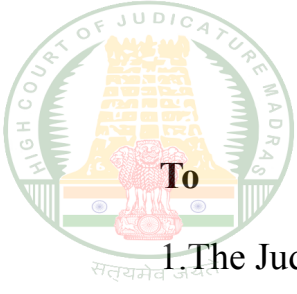
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.The Judicial Magistrate No.I, Namakkal.

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2.The Inspector of Police, Nallipalayam Police Station, Mohanur Taluk, Namakkal.

3. The Superintendent of Prison, Central Prison, Salem.

4.The Public Prosecutor, High Court, Madras

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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CRL OP No. 24321 of 20



T.V.THAMILSELVI J.

**CRL OP No. 24321 of
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11-09-2025