



WEB COPY

Crl.O.P.No.26030 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26030 of 2025

Moorthy

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
Attur Town Police Station,
Salem
(Crime No.311 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.311 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.L. Ramanathan

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

ORDER



WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 08.08.2025, for the offence under Sections 309(6), 311 of BNS and Section 25(1)(a) of Arms Act in Crime No.311 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner joined hands with other accused and attempted to steal the jewels and caught red handed . Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there is no previous case pending against the petitioner.



WEB COPY

5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and the fact the petitioner has only attempted to steal the jewels and no property was recovered from him and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties each** for a like sum to the satisfaction of the Judicial Magistrate, No.I, Attur 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., for a period of three weeks and thereafter, as and when required for interrogation.**

[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



Crl.O.P.No.26030 of 2025

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 abscond, a fresh FIR can
be registered under Section 269 of B.N.S.

22.09.2025

smn

To

1. The Inspector of Police,
Attur Town Police Station,
Salem
2. The Judicial Magistrate, No.I, Attur
3. The Superintendent, Central Prison, Salem
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

smn



WEB COPY



Crl.O.P.No.26030 of 2025

Crl.O.P. No.26030 of 2025

22.09.2025