



WEB COPY



Crl.O.P.No.28142 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28142 of 2025

Sabeer Khan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.406 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.406 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. B. Abdul Samath

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



CrI.O.P.No.28142 of 2025

WEB COPY

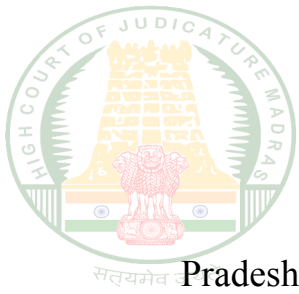
ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.08.2025, for the offences punishable under Sections 305(b) of the BNS (under Section 380 of IPC) in Crime No.406 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed a theft of Rs.6,84,000/- from the defacto complainant in the bus. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner was falsely implicated in this case and the petitioner is in judicial custody since 18.08.2025 and 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 states that the petitioner is hailing from Madhya



CrI.O.P.No.28142 of 2025

WEB COPY

Pradesh and out of the stolen amount only Rs.5,50,000/- was recovered and the balance amount still not recovered; and that the investigation has been completed and the case is taken on file in C.C.No.13 of 2025 before the Judicial Magistrate-II, Ulundurpet is pending.

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

6. Considering the nature of the allegations, the fact that the investigation has been completed and the case is taken on file and taking into account the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate-II at Ulundurpet , 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 for a period of two weeks, and



WEB COPY



CrI.O.P.No.28142 of 2025

thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

15.10.2025

smn



WEB COPY



CrI.O.P.No.28142 of 2025

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.



WEB COPY



Crl.O.P.No.28142 of 2025

K.RAJASEKAR, J.

smn

To

1.The **Judicial Magistrate No.II at Ulundurpet**

2.The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.

3.The Superintendent, Villupuam District Jail.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.28142 of 2025

15.10.2025