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Crl.O.P.No.27848 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27848 of 2025

Gokulraj

... Petitioner/A1

Vs.

The State rep by
The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
(Crime No.76 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the Petitioner on bail in Crime No.76 of 2025 on the file of the Respondent.

For Petitioner : Mr.C.Deepakkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.03.2025, for the offence punishable under Sections 332, 309(6), 103(1) of BNS @ 332(C), 309(6), 103(1), 238 r/w 3(5) of BNS, in Crime No.76 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner along with A1 had trespassed into the house of the deceased and committed robbery of 1/4 sovereign gold jewel and also murdered her; and that the petitioner/A2 had screened the offence by removing the blood strained shirt of A1 and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the case has been committed to the Court of Session in S.C.No.78 of 2025 on the file of the learned Principal District Judge, Namakkal. He further submitted that the petitioner has no previous antecedents and has been in custody since 16.03.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case. He further submitted that the final report has been filed and the case has been committed to the Sessions Court. The same is pending in S.C.No.S.C.No.78 of 2025 on the file of the learned Principal District Judge, Namakkal.

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



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6. Considering the nature of the allegations and taking into account the period of incarceration, and co-accused already released on bail, 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, Kumarapalayam**, 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 everyday 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 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**



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Kerala [(2005)13 SCC 283];

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

13.10.2025

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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 Judicial Magistrate, Kumarapalayam.
- 2.The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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