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Crl.OP.No.31473 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31473 of 2025

S.Mythili

... Petitioner

Vs.

State by:

The Sub Inspector of Police,
Kandili Police Station,
Thirupathur District.
(Cr.No.163 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner in C.C.No.93 of 2024, on the file of the Judicial Magistrate Court No.II, Tirupathur in Cr.No.163 of 2023.

For Petitioner : Mr.P.Pugalenth

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.12.2023 for the alleged offence under Sections 454, 380, 420 of IPC in



C.C.No.97 of 2024, on the file of the Judicial Magistrate Court-II (FAC) in connection with Cr.No.128 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner used to visit the houses of the victims and posted herself as distant relative and thereafter committed theft of gold jewels and other articles.

3. The petitioner earlier filed bail petition in Crl.OP.No.7631 of 2025, which was dismissed on the following reasons:

“ 6. The counter affidavit filed by the respondent clearly indicates that the petitioner is a habitual offender. Though the petitioner was arrested on 04.12.2023, this Court is not inclined to release the petitioner on bail as the petitioner has the propensity to commit similar offences. At the same time, the petitioner cannot be detained for an indefinite period because of the delay in conclusion of the trial. Therefore, this Court is of the view that the trial Court can be directed to expedite the trial. If the trial is not concluded within a period of six months, the petitioner is at liberty to renew the bail application”.



4. Now, the petition has been filed after completion of six months and trial is not concluded Since the offence registered in this case is under Sections 380 and 420 of IPC and the petitioner is in custody for nearly two years, I am inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Thirupathur** 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 at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;**



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[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.

18.11.2025

Vv

Note :

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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-II, Thirupathur**

2. The Sub Inspector of Police,
Kandili Police Station,
Thirupathur District.

3. The Special Prison for Women, Trichy

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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