



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31607 of 2025

Asit Ghorai

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
R.S.Puram Police Station,
Coimbatore City.
(Crime No.287 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in Crime No.287 of 2025 pending on the file of the respondent police.

For Petitioner : M/s.P.M.Beaulaw Supriya

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.07.2025, for the alleged offence punishable under Section 316(4) of BNS, 2023 in Crime No.287 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, while he was working in



the defacto complainant's gold workshop, he misappropriated gold valuing Rs.8,50,000/-. Hence, the complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the investigation has been completed and the final report has also been filed. He further submitted that the petitioner was arrested and he is in judicial custody since 04.07.2025 and he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner had misappropriated 170 grams of gold jewels, out of which, 90 grams were recovered and the remaining gold jewels are yet to be recovered. He further submitted that the petitioner belongs to West Bengal. He also submitted that the investigation is completed and the final report was also filed and the same was taken on file in C.C.No.2991 of 2025 on the file of the Judicial Magistrate No.I, Coimbatore; and that the petitioner has no bad antecedents. However, he opposes to grant bail to the petitioner.

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



including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, the fact that the investigation was completed and the final has also been filed and that the petitioner has no bad antecedents and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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, for a like sum to the satisfaction of the *learned Judicial Magistrate, Coimbatore*, 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;

[b] the petitioner shall report before the concerned Court daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or



witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the

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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];

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

19.11.2025

drl

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.O.P.No.31607 o



To

1.The Judicial Magistrate,
Coimbatore.

2.The Inspector of Police,
R.S.Puram Police Station,
Coimbatore City.

3.The Superintendent,
Coimbatore Jail.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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