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Crl.O.P.No.31601 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31601 of 2025

R.Gunasekaran

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Sulur Police Station,
Coimbatore.
(Crime No.816 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.816 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.V.Vargees Amal Raja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.08.2025, for the alleged offence punishable under Sections 309(6) & 61(2) of BNS, 2023 and Section 25(1)(a) of the Arms Act, 1959 in Crime No.816 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he joined hands with other accused went to the shop of the defacto complainant, diverted his attention, attacked him and robbed gold earrings. Based on the complaint, the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner was not involved in the alleged offence and that he has been falsely implicated in this case. He further submitted that the petitioner had earlier appeared before the respondent for enquiry. He further submitted that the petitioner was arrested and he is in judicial custody since 30.08.2025. 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 there are three accused in this case and the petitioner is ranked as A1. He further submitted that the petitioner was found in possession of a pistol with 18 bullets, which was recovered from him, and based on his confession earrings were also recovered. He further submitted that the petitioner has no previous case pending against him. 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 both



sides, the period of incarceration undergone by the petitioner, the fact that the stolen properties was recovered, this Court is inclined to grant bail to the petitioner.

8. 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, Sulur, 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 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.



To
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1.The Judicial Magistrate,
Sulur, Coimbatore.

2.The Inspector of Police,
Sulur Police Station,
Coimbatore.

3.The Superintendent,
Central Jail, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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