



Crl.O.P.No.31893 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.31893 of 2025

L.Mahendiran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
R-1, Mambalam Police Station,
Chennai.

(Crime No.264 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.264 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.G.Prasanna

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



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04.11.2025, for the offence punishable under Sections 305 and 49 of BNS in

Crime No.264 of 2025, registered on the file of the respondent, seeks bail.

2. The allegation against the petitioner is that the petitioner joining hands with other accused had trespassed into the defacto complainant's shop and committed theft of 3 sovereign gold jewels and Rs.35,000/- cash. Hence, the case.

3. The 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 petitioner is ready to deposit any reasonable amount. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioner has no previous case.



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However, he opposed for grant of bail to the petitioner.

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5. Considering the facts and circumstances of the case and the period of incarceration of the petitioner and the fact that the petitioner has no previous case, this Court is inclined to grant bail to the petitioner with certain conditions:

6. Accordingly, the **petitioner shall deposit a sum of Rs.18,000/- to the credit of Crime No.264 of 2025** and on such deposit, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XVII Metropolitan Magistrate at Saidapet** 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



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copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the respondent police daily at 10.30.a.m., for a period of three weeks and 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



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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.

24.11.2025

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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.



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To

1.XVII Metropolitan Magistrate at Saidapet

2.The Inspector of Police,
R-1, Mambalam Police Station,
Chennai.

3.The Central Prison, Puzhal.

4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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