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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.12.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33499 of 2025

Sunil

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore District.
(Crime No.547 of 2024)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail concerned in S.C. No.178 of 2025 pending trial on the file of the learned Sessions Judge, Bomb Blast Court, Coimbatore.

For Petitioner : Mr.N.Arun Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.03.2025, for the offence punishable under Sections 331(3), 317(2), 305(a) of BNS Act, 2023 @ 331(4), 305(a), 317(2), 317(4) of BNS Act in Crime No. 547 of 2024, registered on the file of the respondent, seek bail.



2. The case of the prosecution is that on 31.10.2024, the defacto complainant visited Pollachi to see his parents. At that time, some unknown persons broke the lock of the defacto complainant's house and involved in theft of 118 ½ sovereign's of gold and 75 carats of diamond jewellery. Hence, the case.

3. Earlier, this Court dismissed the bail petition filed by the petitioner in Crl.OP.No.17777 of 2025 dated 24.07.2025 on the following reasons:

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, it is seen that the petitioners are alleged to have committed a serious offence. Further, in view of the fact that further investigation petition filed by the defacto complainant is pending and the remaining stolen articles are yet to be recovered, this Court is not inclined to grant bail to the petitioners.

4. Now, the learned counsel for the petitioner submitted that after dismissal of the earlier bail petition filed by the petitioner, two accused were released on bail by this Court in Crl.OP.No.28116 of 2025 dated 15.10.2025 & Crl.OP.No.27621 of 2025 dated 09.10.2025. He further submitted that the petitioner is in judicial custody since 02.03.2025 and that the case is pending at the stage of the trial. Hence, he prayed to grant bail to the petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that though two co-accused were released on bail,



the overt act attributed to them was that they are receivers of the stolen property, and they had no direct involvement in the commission of the offence. He further submitted that the present petitioner has eight previous cases against him and that the stolen property was partly recovered from him. Hence, he opposed the grant of bail to the petitioner.

6. This Court perused the orders passed by this Court and the earlier bail petition of the petitioner was dismissed on the ground that further investigation petition has been filed and the same is also pending and the stolen property is also not recovered and now the matter is pending for trial. Considering that the petitioner has eight previous cases against him and hails from the State of Madhya Pradesh, this Court is of the view that if the petitioner is released on bail, it may hamper the investigation. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

08.12.2025

drl

To

1. The Inspector of Police,
Kovilpalayam Police Station,
Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

3/4



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K. RAJASEKAR, J.

drl

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