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Crl.O.P.No.33711 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33711 of 2025

George Fernandes

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
E 5, Sholavaram Police Station,
Thiruvallur District.
(Crime No.723 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.723 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. J. Samiullah

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.11.2025 for the offences punishable under Sections 303(2), 317(2) of BNS in Crime No.723 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, the petitioner joined hands with other accused and committed a theft of Rs.75,000/- and a mobile phone from a parked lorry. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 14.11.2025; that the co-accused were granted bail by the learned Judicial magistrate No.II, Ponneri, vide order dated 28.11.2025 in Crl.M.P.No.1277 of 2025 with a condition to deposit a sum of Rs.10,000/- to the credit of crime number; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution



case and submitted that there are totally four accused and the petitioner herein is arrayed as A4; that the petitioner has no previous antecedents; that the stolen properties are yet to be recovered; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, the fact that co-accused were already enlarged on bail by the lower Court and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Ponneri** and on further conditions that:

[a] **the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousands only) to the credit of Crime No.723 of 2025 and the proof of the same shall be produced before the learned Judicial Magistrate No.II, Ponneri at the time of executing the sureties;**

[b] **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;

[c] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[d] 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];**

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

10.12.2025

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Note :

1. Registry is directed to forthwith upload this



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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 No.II,
Ponneri.
2. The Inspector of Police,
E 5, Sholavaram Police Station,
Thiruvallur District.
(Crime No.723 of 2025)
3. The Superintendent,
Sub Jail, Ponneri.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.



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