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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL OP NO.34225 of 2025**

Zabiulla

Petitioner

Vs

The State Represented by  
The Inspector of Police,  
Tiruchengode Police Station,  
Namakkal District.  
Crime No.260 of 2025.

Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.260 of 2025 on the file of the respondent police.

**For Petitioner:**

Mr.P.Dasarathan

**For Respondent:**

Mr.A.Gopinath  
Government Advocate (Crl.side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody



on 29.09.2025 for the alleged offence punishable under Sections 331(4), 305(a) of BNS, in Crime No.260 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that, the petitioner joined hands with other accused were involved in the theft of iron rings valued about Rs.76,500/-. Hence this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 29.09.2025. He further submitted that the co-accused was released on bail by this Court. He further submitted that 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 along with other accused involved in stealing the properties worth about Rs.76,500/- and only Rs,70000/- have been recovered and all accused now arrested, and investigation is pending. He further submitted that the petitioner is not having any previous case against him. Hence, he strongly opposed for grant of bail to the petitioner.



5. Considering the submissions made by the learned counsel on either side, the fact that the co-accused was released on bail by this Court in CrI.OP.No.32868 of 2025 dated 01.12.2025, the petitioner has no previous case pending against him and also considering the period of his incarceration, 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, for a like sum to the satisfaction of the *learned Judicial Magistrate, Tiruchengode*, 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.

**15.12.2025**

*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**

1. The Judicial Magistrate,  
Tiruchengode.
2. The Inspector of Police,  
Tiruchengode Police Station,  
Namakkal District.
3. The Superintendent,  
Central Prison, Salem District.
4. The Public Prosecutor,  
High Court, Madras.



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**K.RAJASEKAR, J.,**

drl

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