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Crl.O.P.No.35389 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35389 of 2025

P.Muthuganesh

Petitioner(s)

Vs

State Rep By, The Inspector Of Police
Periyanaickapalayam Police Station,
Coimbatore District (crime No 367 Of
2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in crime no 367 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.W.Camyles Gandhi

For Respondent(s): Mr.S.Vinoth Kumar Government
Advocate (crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.10.2025, for the alleged offences punishable under Sections 331(4), 305(a) of BNS in Crime No.367 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner had trespassed into the defacto complainant's school premises and broke the office table locker and committed theft of Rs.7.50 lakhs. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and has no role in the alleged offence. He would further submit that the petitioner was arrested and is in judicial custody from 08.10.2025 and he is ready to cooperate for investigation, hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner had trespassed into the defacto complainant's school premises and broke the office table locker and committed theft of Rs.7.50 lakhs. He further submitted that investigation in this case was completed, charge sheet has also been filed and the petitioner has five previous cases, hence, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the rival submissions made by the learned counsel on



either side, the investigation was completed and the charge sheet has also been filed and the fact that the petitioner has 5 previous cases, which are not similar in nature and in all the cases, he has been granted bail and also considering the period of incarceration undergone by the petitioner from 08.10.2025, this Court is inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the **Judicial Magistrate V, Coimbatore** and on further conditions that:-

[b] the petitioner shall report before the concerned Jurisdictional Magistrate on all working days at 10.30 a.m., until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or



tamper with the evidence;

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26-12-2025

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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.



To

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1. The Inspector Of Police
Periyanaickapalayam Police Station,
Coimbatore District .
2. The Judicial Magistrate-V,
Coimbatore.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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