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Crl.OP.No.35850 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.35850 of 2025

Sathya

... Petitioner

Vs.

The State represented by,
The Sub Inspector of Police,
Siva Kanchi Police Station.
(Crime No.365 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.365 of 2025 pending
before the respondent police.

For Petitioner : Mr.A.Anbharasu

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
21.11.2025, for the alleged offence punishable under Sections 318(4) and
305(a) of BNS, 2023 (can be compared to Sections 415 and 380 of IPC), in
Crime No.365 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner/accused herein along with co-accused have gone to the jewellery shop of the defacto complainant and on the pretext of buying jewels, they asked for display of jewels and later, they have committed theft. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the case was registered based on the false complaint given by the defacto complainant and that the petitioner is an innocent and no way connected with the alleged offence. He would further submit that the petitioner was arrested and is in judicial custody from 21.11.2025. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally two accused involved in this case and the petitioner is ranked as A2. He further submitted that the entire jewels were recovered from A1 and this petitioner is having six previous cases. Hence, he opposed to grant bail to the petitioner.



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

6. Considering the nature of offence, entire stolen property were recovered from A1 and no property was recovered from this petitioner, considering the period of incarceration undergone by the petitioner, though the petitioner has six previous case, in which she has been released on bail, and also considering all others factors, 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 Court-I, Kanchipuram**, and on further conditions that:-

[b] the petitioner shall report before the Judicial Magistrate Court-I, Kanchipuram 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 she is accused, or suspected, or of the commission of which she is suspected;



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[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;

[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

Vv



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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

1. The Judicial Magistrate Court-I, Kanchipuram
2. The Sub Inspector of Police,
Siva Kanchi Police Station.
3. The Vellore Women Jail, Vellore District.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

Vv

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