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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

THE HONOURABLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.35886 of 2025

1.Mr.Deivam

2.Mr.Chinnadurai

3.Mr.R.Arul

4.Mr.Suresh

... Petitioners

Vs.

State represented by
The Inspector of Police,
Tiruchengode Police Station,
Tiruchengode, Namakkal.
(Crime No.408 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioners on bail in Crime No.408 of 2025 pending on the file of the respondent police.

For Petitioners : Mr.N.Thamizhanban

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

ORDER

The petitioners were arrested and remanded to judicial custody on 13.11.2025, for the alleged offences punishable under Section 303(2) of BNS, in Crime No.408 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioners/accused stole BSNL telephone exchange cable wires at Tiruchengode on 09.11.2025, worth about Rs.1,27,500/-, and later, on 12.11.2025, attempted to commit a similar theft using a Mahindra Bolero Maxx pickup. Hence, the present case came to be registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that that the petitioners have been suffering incarceration from 13.11.2025 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that totally 8 accused in this case, and the petitioner is arrayed as A2. He further submitted that no previous case is pending against the petitioners. Hence, he vehemently opposed to grant of bail to the petitioners.



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

6. Considering the nature of the offence, the period of incarceration undergone by the petitioners, and the fact that materials were recovered from the petitioners, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

[a] Accordingly, the petitioners are ordered to be released on bail on them executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of **the learned Judicial Magistrate, Tiruchengode**, and on further conditions that:-

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

30.12.2025

cda

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.



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To

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



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P.DHANABAL, J.

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