



CRL OP (MD) No.5536 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.5536 of 2025

R.Easwaran

... Petitioner/ Accused No.6

Vs

The State of Tamil Nadu,  
Rep. by the Sub Inspector of Police,  
Idol Wing CID,  
Madurai District.  
Crime No.495 of 2015

... Respondent/Complainant

For Petitioner : Mr.K.Anandan

For Respondent : Mr.R.Meenakshi Sundaram,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :-

For bail in Crime No.495 of 2015 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.03.2025



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under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner/A6 was arrested and remanded to judicial custody on 24.02.2025 for the alleged offences punishable under Sections 457(2), 380(2), 411 and 414 of Indian Penal Code, 1860, in Crime No.495 of 2015 on the file of the respondent-police.

3. The case of the prosecution is that the accused persons committed theft of two idols. Hence the case.

4. Mr.K.Anandan, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 24.02.2025 and is ready to abide by any condition that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that there are totally 10 accused persons



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in this case and that the investigation is yet to be completed. Therefore, custodial interrogation of the petitioner is necessary to unearth the truth. He further submits that the petitioner has two previous cases, one of which is related to an offence punishable under Section 364A of the IPC and the other related to offences punishable under Sections 395 and 397 of the IPC. He also submits that one more accused person is at large, and therefore, at this stage, if the petitioner is enlarged on bail, he may abscond and thereby delay the investigation. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It is stated that 8 accused persons have already been arrested and released on bail. The petitioner had moved a pre-arrest bail application in Crl.O.P. (MD) No.20661 of 2023 before this Court, which was dismissed on 12.12.2023. The respondent-police arrested the petitioner on 24.02.2025. Admittedly, the investigation has not been completed, and the charge sheet has not been filed. Considering the nature of the offences allegedly committed by the petitioner and the fact that the stolen idols were worth about Rs.30,000/- in total, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant bail to



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the petitioner, however, subject to certain conditions. Accordingly, bail is granted to

the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Additional Chief Judicial Magistrate, Madurai;

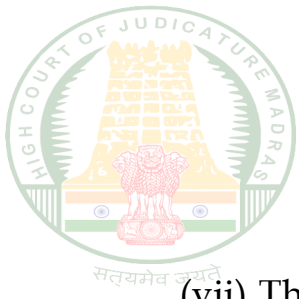
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Additional Chief Judicial Magistrate, Madurai shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Additional Chief Judicial Magistrate, Madurai;

(iv) The petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;



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(vii) 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; and

(viii) On breach of any of the aforementioned conditions, the learned Additional Chief Judicial Magistrate, Madurai is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-  
25/03/2025

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25/03/2025  
Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

MBI

TO

1 THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE,  
MADURAI.



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2 THE SUB INSPECTOR OF POLICE,  
IDOL WING CID,  
MADURAI DISTRICT.

3 THE SUPERINTENDENT  
CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ANANDAN, Advocate ( SR-3397[I] dated 25/03/2025 )

ORDER  
IN

CRL OP(MD) No.5536 of 2025  
Date :25/03/2025

SS/SAR- /25/03/2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023