



CRL OP(MD). No.9762 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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1.Deepika @ Alpha,
W/o.Abdul Rahman

2.Esakki Thangam,
W/o.Sekar

...Petitioners / A1 and A2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
(Crime No.313 of 2024)

... Respondent/ Complainant

For Petitioners: Mr.A.Robinson,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)

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



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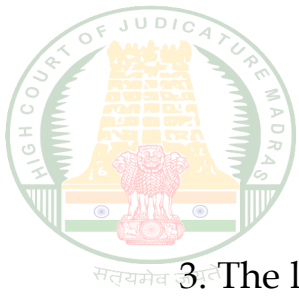
PRAYER :- For Bail in Crime No.313 of 2024 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioners / accused nos.1 and 2, who were arrested and remanded to judicial custody on 16.04.2025 for the offences under Sections 306 and 317(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.313 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.07.2024, the defacto complainant lodged a complaint before the respondent police alleging that his mother, who was residing alone at her residence, had employed the first accused, Deepika @ Alpha, as a domestic servant. The mother of the defacto complainant was in possession of 38 gold coins, each weighing 8 grams. When these coins were found missing, the mother questioned the first accused, who failed to provide a proper response. Based on this suspicion, a complaint was filed with the respondent police. Further, during the course of investigation, the respondent police discovered that the first accused had committed theft of the said gold coins. It was also revealed that the second accused, along with three other accused persons, had conspired with the first accused to convert the stolen gold coins into gold jewellery, which was subsequently pledged at the Central Cooperative Bank and Muthoot Finance Company. Hence, the case.



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3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioners. He would further submit that there are no previous cases against the petitioners. He would further submit that A3 was granted bail by this Court on 06.06.2025 in CrI.OP(MD).No.9457 of 2025. He would further submit that the petitioners are in custody from 16.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally five accused persons in this case and the petitioners have been arrayed as A1 and A2. He would further submit that the alleged properties were stolen by A1. He would further submit that there are no previous cases against the petitioners. He would further submit that if bail is granted to the petitioners, they may cause threat to the defacto complainant and the witnesses. He, therefore, opposes the grant of bail to the petitioners.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioners and also taking into consideration the period of incarceration, this court is inclined to grant bail to the



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petitioners, however, subject to the following conditions:

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7. Accordingly, the petitioners are ordered to be released on bail on their 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 learned Judicial Magistrate Court, Tiruchendur, Thoothukudi District, 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 petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate Court, Tiruchendur, Thoothukudi District. If the petitioners changes their residential address, they shall report the same to the learned Judicial Magistrate Court, Tiruchendur, Thoothukudi District.

[c] the petitioners shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance



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with law as if the conditions have been imposed and the petitioners released on bail
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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 of BNS, 2023.

8. In the result, this Criminal Original Petition is allowed subject to the
conditions stated supra.

sd/-
11/06/2025

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/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate,
Tiruchendur,
Thoothukudi District.
2. Do-Through The Chief Judicial Magistrate,
Thoothukudi District.
3. The Officer-in-Charge,
Special Women Sub-Jail,
Kokkirakulam,
Tirunelveli District.



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4. The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.ROBINSON, Advocate (SR-6175[I] dated 11/06/2025)

ORDER

IN

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Date :11/06/2025

MK/11.06.2025 6P/7C

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