



CRL OP(MD). No.17406 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.17406 of 2025

N.Sudhakar

... Petitioner/Accused No.1

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.91 of 2025)

... Respondent/Complainant

For Petitioner : M/s.P.Kalaiyarasi
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.91 of 2025 on the file of the
Respondent Police in C.C.No.622 of 2025 on the file of the learned
Judicial Magistrate, Melur.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.05.2025 for the offences punishable under Sections 331 (3), 331(4) and 305 (a) of BNS, 2023 in Crime No.91 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the de-facto complainant went to a trip, the accused persons unlawfully entered into the house of the de-facto complainant, broke open the doors and stole gold ornaments weighing over 38 sovereigns, silver articles worth about Rs.75,000/- and cash amount of Rs.30,000/-. The totalling Rs.1,05,000/- Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 30.05.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that this is the second bail application. He further submitted that there are twenty one previous cases pending as against the petitioner and also submitted that 12 sovereigns recovered from the accused persons. Hence, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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, Melur 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.



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[b] the petitioner shall stay at Thankachimadam and sign before the Thangachimadam Police Station, Ramanathapuram District, daily at 10.30.a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

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

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(S S Y J)
12.11.2025
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To

1. The Judicial Magistrate,
Melur.
2. The Superintendent, Central Prison,
Madurai.
3. The Inspector of Police,
Othakadai Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Inspector of Police,
Thankachimadam Police Station,
Ramanathapuram District.



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S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.17406 of 2025

Date :12.11.2025
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