



CRL OP(MD). No.21520 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Thangapriya

2. Bhuvaneshwari

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
(Crime No.658 of 2025)

... Respondent/Complainant

For Petitioners : Mr.K.Jeyamohan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.658 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who were arrested and remanded to judicial custody on 31.10.2025 for the offences punishable under Sections 305(a), 331(3), 331(4) of BNS 2023, in Crime No.658 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners had trespassed into the house of the defacto complainant and broken the lock of the door and stolen 250 grams of gold jewels and a cash of Rs.60,000/-. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are willing to abide by any stringent conditions that may be imposed by this Court. He further submitted that the petitioners are in judicial custody from 31.10.2025. Hence, he seeks bail to the petitioners.



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4. The learned Additional Public Prosecutor submitted that there is one previous case pending against the 1st petitioner and no previous case pending against the 2nd petitioner. He further submitted that the stolen property is yet to be recovered. Hence, he opposed for grant of bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, with other conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a separate 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 No.I, Padmanabhapuram, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.



(b) each of the petitioner is directed to deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of Crime No.658 of 2025 before the learned Judicial Magistrate No.I, Padmanabhapuram. On such deposit, the learned Judicial Magistrate No.I, Padmanabhapuram, shall accept the sureties furnished by the petitioners. After receipt of entire amount, the learned Judicial Magistrate No.I, Padmanabhapuram, shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.658 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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

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



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[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 with law as if the conditions have been imposed and the petitioners are 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.

(S S Y J)
27.11.2025

msrm

1. The learned Judicial Magistrate No.I,
Padmanabhapuram.
2. The Superintendent, Sub Jail,
Thuckalay.
3. The Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
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