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Crl.OP.No.2748 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.2748 of 2026

1. V.Amsa
2. Venkadesh
3. A.Padmavathi
4. K.Parameshwaran

... Petitioners

Vs.

The State by Inspector of Police,
Suramangalam Police Station,
Salem City.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of arrest in Cr.No.49 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.Sai Krishnan Thiagarajan

For Respondent : Mr.J.R.Archana
Government Advocate (Crl.side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 61(2) and 305(a) of BNS, 2023 in Cr.No.49 of 2025, on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners herein are the officials of HR&CE Department. While the temple hundial collection counting was taken place, some of the gold jewels were stolen and later it was found in the dustbin of the temple. Subsequently, it was found that the petitioners herein have colluded, stolen the gold jewels and cash of Rs.9,500/-, which lead to the registration of an FIR. Hence, the present case.

3.The learned counsel appearing for the petitioners submitted that the the petitioners herein are ranked as A1 to A4 . It is false to state that some gold jewels and money were found in the dustbin of the temple and it was kept in a box near the place of counting and it has been misunderstood and the case has been registered and the petitioners are no way involved in the offence. He further submitted that the petitioners are ready to cooperate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the entire property has been recovered. However, he vehemently opposed for the grant of anticipatory bail to the petitioners.



5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations and the fact that the stolen property were recovered and the petitioners are being the government officials, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***Judicial Magistrate-II, Salem*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** **with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



(c) The petitioners shall report before the respondent police daily at 06.30p.m., for a period of one week and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

06.02.2026

Vv

To

1. The Judicial Magistrate-II, Salem
2. The Inspector of Police,
Suramangalam Police Station,
Salem City.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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