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CRL OP No. 5690 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5690 of 2026

D.Gokul S/o.Dhanapal,
No.53, Karadiyur, Kogalur,
Yercaud,
Salem - 636 602.

..Petitioner(s)

Vs

The State Represented by:

The Inspector of Police,
Yercaud Police Station,
Salem District.
Crime No.25/2026

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the Petitioner on bail in Crime No.25/2026 pending investigation on the file of the respondent/police and thus render justice.

For Petitioner(s): P.Tamilavel

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.01.2026 for the alleged offence under Sections 193(2), 296(b), 115(2), 118(1) and 109 of B.N.S in Crime No.25 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner and the other accused came to the Resort, where the defacto complainant is working and picked quarrel with him and abused him in filthy language and had taken away a mobile phone and a cash of Rs.5,000/- from him and also assaulted him with hands and caused injuries to him. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the defacto complainant has only taken away the mobile phone and cash, petitioner has been under judicial custody since 23.01.2026 and he is an innocent and has been falsely implicated in this case and prayed to enlarge him on bail.

4. According to the prosecution, the petitioner along with other accused have questioned the theft. However, the learned Government Advocate (Criminal side) appearing for the respondent police fairly submits that there is no previous case against this petitioner and the occurrence was not premeditated and investigation has already been completed.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. In view of the above said position, this Court is of the opinion that no further custodial interrogation of the petitioner is required and hence, this Court is inclined to grant bail to the petitioner, subject to certain conditions:



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned **District Munsif-cum-Judicial Magistrate, Yercaud, Salem** and on further conditions that:

[a] 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 the identity proofs to ensure their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 2 weeks and thereafter as and when required by the respondent police for interrogation;**

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

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

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]:



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

Section 269 of B.N.S.

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MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The District Munsif-cum-Judicial Magistrate, Yercaud, Salem.
2. The Inspector of Police, Yercaud Police Station, Salem District.
3. The Superintendent, Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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