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CRL OP No. 5771 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5771 of 2026

Kavitha
W/o.Shankar,
No. 13, Thiruvallur Street,
Meenambakkam,
Tamilnadu - 600 027.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
S-3, Meenambakkam Police Station,
Tambaram.
Crime No. 09/2026

..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 connection with Crime No. 09/2026 on the file of the Inspector of Police, S-3 Meenambakkam Police Station, Chennai and thus render justice.

For Petitioner(s): Hemanth Raj. T

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.02.2026 for the alleged offences under Section 306 of B.N.S. in Crime No.9 of 2026 on the file of the respondent police, seeks bail.



2. This case has been registered as against the petitioner, who is a servant of the defacto complainant, for an offence of theft. Hence the case.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. He would further submit that the stolen property has been recovered by the respondent police and hence prays to enlarge the petitioner on bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and though he has objected to enlarge the petitioner on bail, he fairly submits that the stolen property has been recovered.

5. From the submissions made by the learned Government Advocate (Criminal side), it is observed that though this is the case of theft by a servant, the petitioner has been under incarceration since 02.02.2026 and the property has already been recovered.

6. In such view of the position, this Court is of the opinion that no further custodial interrogation of the petitioner is necessary and hence, this Court is inclined to grant bail to the petitioner, subject to the following stringent conditions:



7. Accordingly, the petitioner is ordered to be released on bail on her 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 No.I, Alandur, Chennai** 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 twice at 10.30 a.m. and 5.30 p.m. for a period of 30 days and thereafter as and when required 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.

06-03-2026

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 Judicial Magistrate No.I, Alandur, Chennai.
2. The Inspector of Police, S-3, Meenambakkam Police Station, Tambaram.
3. The Superintendent of Police, Central Prison, Puzhal-III, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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