



WEB COPY

CRL OP No. 6097 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6097 of 2026

Mukesh Giri
S/o.Sambat Giri,
No. 10, Kottabamman Cross Street,
Radha Nagar,
Chrompet,
Chennai 600 044.

..Petitioner(s)

Vs

State of Tamilnadu Rep. by The Inspector of Police
Selaipur Police Station,
Chennai.

..Respondent(s)

To enlarge the petitioner on bail in Crime No. 36/2025 on the file of the respondent pending investigation before the respondent and thus render justice.

For Petitioner(s): Mr.M.Soundar Vijay Arul Ram

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.02.2026 for the alleged offences under Sections 316(2) and 318(4) of BNS, 2023 and Sections 406, 420 of IPC, in Crime No.36 of 2026 on the file of the respondent police, seeks bail.



2. It is the case of the prosecution that the petitioner, along with the other accused, in the guise of running a pawn broker shop, have collected 206 sovereigns of gold jewels from the general public, closed the shop and ran away to Rajasthan and thus committed the offence. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is only an employee of the 1st accused and a part of gold articles have been recovered from the accused. He would further submit that the petitioner has been under incarceration since 02.02.2026 and is ready to abide by any stringent condition that may be imposed by this Court and seeks for bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and would submit that in so far as 60 sovereigns of gold jewels were recovered and investigation is still pending and the remaining gold jewels are yet to be recovered. Hence, he would vehemently oppose for the grant of bail to the petitioner.

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



6. Though the learned Government Advocate would strongly oppose the application, he would fairly submit that this petitioner is only an employee of the shop and the licence stands in the name of one Chetan Parihar and there is no specific overt act against this petitioner, except he being the employee of Dinesh Bankers, where the 1st accused is the owner.

7. In such view of the position, though there is serious allegations against the 1st accused, considering the fact that this petitioner being an employee, this Court is inclined to enlarge the petitioner on bail with stringent conditions:

8. 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) each with two sureties each, for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Chengalpattu**, 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. and 5.30 p.m, until further orders.**



WEB COPY

[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.

8.It is made clear that no relaxation petition will be entertained within a period of two months.

10-03-2026

ATA



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 Principal District and Sessions Judge, Chengalpattu.
2. The Inspector of Police, Selaiyur Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY

CRL OP No. 6097 of 2



C.KUMARAPPAN, J.

ATA

CRL OP No. 6097 of 2026

10-03-2026