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CRL OP No. 8232 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8232 of 2026

Malarvizhi @ Malathi
W/o. Sankar,
NO.41, Pudunagar,
Kobakkampet,
Puducherry - 605 110.

..Petitioner(s)

Vs

State represented by:

The Station House Officer,
Mudaliarpet Police Station,
Puducherry.
Cr.No.29 of 2026.

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Cr.No.29 of 2026 on the file of the Respondent Police.

For Petitioner(s):

Mr. K.Sasindran

For Respondent(s):

Mr. M.V. Ramachandra Murthy,
Public Prosecutor, Puducherry.

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.02.2026 for the alleged offences under Section 305(a) of B.N.S. altered to Sections 306, 317(5) read with Section 3(5) of B.N.S. in Crime No.29 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that while A1 was working as house maid in the defacto complainant's residence, she along with the petitioner and other accused, had stolen gold jewels, silver articles and cash from the house of the defacto complainant. The total worth of the stolen articles is Rs.3,59,000/-. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and she is under incarceration since 21.02.2026. He would further submit that the petitioner has been implicated in this case only based on the confession of the co-accused and hence prays for grant of bail to the petitioner.

4. The learned Public Prosecutor, Puducherry would strongly oppose the bail application stating that so far, they have recovered only Rs.3 lakhs and based upon the confession of A1, this petitioner has been implicated in this case as she had helped to dispose of the theft articles.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Taking into consideration of totality of circumstances, upon the fact that the petitioner has been implicated only based on the confession statement of the A1, upon further fact that the petitioner is under incarceration since



21.02.2026 and 50% of the properties have been recovered and also upon the fact that the petitioner is a woman, this Court is inclined to enlarge the petitioner on bail, 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.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Judicial Magistrate No.VII, Puducherry** 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 sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of two weeks and thereafter as and when requited by the investigation officer 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.

02-04-2026

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 Court No.VII, Puducherry.
2. The Station House Officer, Mudaliarpur Police Station, Puducherry.
3. The Superintendent of Police, Central Prison, Kalapet, Puducherry.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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