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CRL OP No. 8440 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8440 of 2026

1. Nithya
D/o.Ilayaraja,
No.31, South Street,
Theerthagiri Colony, Kurinjipadi Taluk,
Cuddalore District - 608 801.
2. Abinaya
D/o.Petchimuthu,
5/144, North Street, Gandhi Nagar,
Udayarkulam, Trichendur District
Thoothukkudi - 628 617.

..Petitioner(s)

Vs

The State rep by, The Inspector of Police
Orleanpet Police Station Through The Public
Prosecutor. Puducherry.
(Crime No.40/2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023,
to enlarge the petitioners on bail pending investigation in Crime No.40 of 2026
on the file of the respondent police and thus render justice.

For Petitioner(s): A.Anandharaj

For Respondent(s): Mr.S.Vinoth Kumar,

Government Advocate (Crl.Side)



ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.03.2026 for the alleged offences under Sections 304(ii), 3(5) of BNS in Crime No.40 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners snatched a 6-sovereign gold chain from the de facto complainant. Hence, the case. Hence, the present case has been registered and the petitioners were arrested.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and have been falsely implicated in this case. He further submitted that the petitioners have been in custody since 05.03.2026 and are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous cases against the petitioners and that the property has been recovered. However, he opposed the grant of bail to the petitioners.



5. I have given my anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

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6. Taking into consideration the totality of the circumstances and the fact that the petitioners have no previous cases and that the stolen chain has been recovered, this Court is inclined to enlarge the petitioners on bail, subject to certain conditions:-

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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-II, Puducherry**, and subject to the following conditions:

[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 petitioners shall report before the respondent police twice a day at 10.30 a.m., for a period 30 days and thereafter as and when required for interrogation;

[c] the petitioners shall not abscond either during



investigation or trial;

[d] the petitioners 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 take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

06-04-2026

MPA

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.



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C.KUMARAPPAN, J.

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