



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9259 of 2026

1. Thangavel
2. Manickam

..Petitioners

Vs

The State Rep. by
The Inspector of Police
Uddanapalli Police Station,
Krishnagiri District.
(Crime No.42 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.42 of 2026 on the file of the respondent Police.

For Petitioner: Mr.J.Pradeep

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 09.03.2026 for the alleged offences under Sections 329(4), 310(2), 311, 27(1) of the Bharatiya Nyaya Sanhita, 2023 subsequently, altered into Section 329(4), 310(2), 311, 317, 61(2) of BNS r/w Section 27(1) of Arms Act, (Section 448, 395, 397, 141, 120(B) of Indian Penal Code, 1860), in Crime No.42 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioners along with other accused entered into a criminal conspiracy and trespassed into a company premises and committed theft of copper materials. Hence, the case was registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that they are law-abiding citizens and have permanent residence and will not abscond. The learned counsel would further submit that the petitioners have been in incarceration since 09.03.2026 and are ready to furnish sureties and abide by any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are about 14 accused in this case and the petitioners are arrayed as A1 and A2 and they are involved in theft of copper materials worth about Rs.5 lakhs. However, it is submitted that the co-accused have already been released on bail on 30.03.2026 in Crl.O.P.No.8003 of 2026.

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



6. Considering the submissions of the learned counsel appearing on either side, this Court is of the view that the petitioners have been in incarceration since 09.03.2026 and the co-accused have already been released on bail in Crl.O.P.No.8003 of 2026 dated 30.03.2026. Considering the totality of the circumstances and in order to maintain parity with the co-accused, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond each for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate II, Hosur, 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. and 05.30 p.m. for a period of two weeks 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.

15-04-2026

NSL

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 II, Hosur.
2. Sub Jail, Hosur.
3. The Inspector of Police, Uddanapalli Police Station, Krishnagiri District.
4. The Public Prosecutor, High Court of Madras.



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CRL OP No. 9259 of 2



C.KUMARAPPAN, J.

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CRL OP No. 9259 of 2026

15-04-2026