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Crl.O.P.No.15088 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.15088 of 2026

Raja

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Erode Taluk Police Station,
Erode District.
Crime No.98 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.98 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.C.S.Saravanan

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.04.2026 for the alleged offences under Sections 305(a) and 331(4) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 380 and 457 of the



Indian Penal Code), in Crime No.98 of 2026 on the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that he trespassed into the grocery shop of the defacto complainant by breaking open the roofing sheet and allegedly committed theft of two CCTV DVRs and a sum of Rs.12,500/- in cash. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been in custody since 09.04.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (CrI. Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the petitioner has two previous cases and that a major portion of the investigation has already been completed. He further submitted that the stolen properties have been recovered from the petitioner.



5. At this juncture, the learned counsel for the petitioner submitted that, though the petitioner has two previous cases, one such case relates to the theft of rice for cooking food for his three children and that he is the sole breadwinner of the family.

6. Considering the above facts and circumstances, particularly the period of incarceration undergone by the petitioner, the fact that the stolen properties have been recovered from him, and also the fact that a major portion of the investigation has already been completed, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on their 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-I, Erode, 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;



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[b] the petitioner shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

[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 take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioner 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 petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

16.06.2026

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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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To

1. The learned Judicial Magistrate-I, Erode,

2. The Superintendent, Sub Jail, Erode

3. The Inspector of Police, Erode Taluk Police Station, Erode District.

4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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