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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32159 of 2026

CNR: {HCMA012634712026}

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Case QR

..Petitioner(s)

Vs

State Represented By, Inspector of Police
Thiyagadurugam Police Station,
Cr.No. 306/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime NO. 306 of 2026 on the file of the respondent and pass appropriate orders or such orders as this Honorable Court.

For Petitioner(s): Radhika

For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.09.2026 for the alleged offence under Sections 331(4), 305(a) of BNS, 2023 in Crime No.306 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, along with other accused, trespassed into the house of the de facto complainant and committed theft of 10.6 sovereigns of gold ornaments and 800 grams of silver articles.

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Hence, the present case was registered.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case solely based on the confession statement of a co-accused, who is currently lodged in the Puducherry prison. He further submitted that the de facto complainant is the sister of an Ex-MLA, which is the sole reason the police have falsely implicated the petitioner. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail. Upon instructions, he reiterated the prosecution case and submitted that the petitioner is ranked as Accused No. 2 (A2) and has five previous cases of a similar nature pending against him.

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

6. Considering the nature of the allegations, the period of incarceration already undergone by the petitioner, and the overall facts and circumstances of

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the case, this Court is inclined to enlarge the petitioner on bail, subject to certain stringent conditions, despite the adverse antecedents.

7. 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)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Kallakurichi,** 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., 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 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];**

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

04-11-2026

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.

To

1.The Judicial Magistrate-II, Kallakurichi.

2. The Inspector of Police
Thiyagadurugam Police Station,
Cr.No. 306/2026

3.The Officer Incharge, District Jail, Villupuram.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

MPA

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