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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32324 of 2026

CNR: {HCMA012650012026}

Case QR

Sudharsan
S/o Veeramani,
No.85, Mela Street,
Karaimeedar Kottai,
Orathanad Taluk,
Tanjavur District.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Madukkarai Police Station,
Poonamallee, Coimbatore District.
Crime no.278 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in connection with Crime no.278 of 2026 on the file of Respondent Police and pass such other further orders.

For Petitioner(s): Mr.Dilli Ganesh S

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.09.2026 for the alleged offences under Sections 303(2) of BNS, 2023 @ 303(2), 317(2) of BNS, 2023 in Crime No.278 of 2026 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant had parked his two wheeler in front of his house. However, on the following day, he found that the vehicle was missing. Hence, the present case was registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody since 23.09.2026 and that he 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 reiterated the prosecution case and submitted that the petitioner has one previous case pending against him. However, he opposed the grant of bail to the Petitioner.

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

6. It is a case of theft of a two-wheeler. Though the petitioner has one previous case against him, considering the period of incarceration already

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undergone by the petitioner and the nature of the allegations, 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 his 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 **District Munsif cum Judicial Magistrate, Madukkarai,** 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 acc 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.

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DRL

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 District Munsif cum Judicial Magistrate, Madukkarai.

2. The Inspector of Police
Madukkarai Police Station,
Poonamallee, Coimbatore District.

3.The Superintendent, Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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