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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33654 of 2026

CNR: {HCMA012732582026}

Om Prakash
S/o Sankar Lal,
Propreitor, M/s.D.M.Jewellery,
No.24, Veerappan Street, Sowcarpet,
Chennai.

Case QR

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
C-2, Elephant Gate Police Station,
Flower Bazaar, Chennai.
Crime No.198 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS pryaing to enlarge the Petitioner on bail in Cr.No.198 of 2026 on the file of the Respondent,the C-2 Elephant Gate Police Station,Flower Bazaar,Chennai.

For Petitioner(s): Mr.Mohan Raj Chandra Sekaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on **01.01.2026** for the alleged offences punishable under **Sections 318(4) of BNS, 2023** in Crime No. 198 of 2026 on the file of the respondent police, seeks regular bail.

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2. The case of the prosecution is that the petitioner is running a jewellery shop at Sowcarpet and he induced the defacto complainant to part with 142 grams of gold on the promise of returning equivalent gold and paying making charges. However, the petitioner neither returned the gold nor paid. Hence, the case.

3. The learned counsel for the petitioner submits the petitioner is an innocent person and he has been falsely implicated in this case He further undertakes that the petitioner will strictly abide by any stringent conditions imposed by this Court and will co-operate with the investigation.

4. The learned Government Advocate (Criminal Side) appearing for the respondent state strongly opposes the grant of bail to the petitioner. He further submitted that out of 142 grams of gold, 62g of gold were recovered.

5. Considering the fact that the recovery of 62g of gold was recovered from a supplier and not from the purchaser and also considering the period of incarceration undergone by the petitioner from **01.01.2026**, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during investigation and trial.

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6. 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 VIII Metropolitan Magistrate Court, George Town, Chennai,** and on further conditions that:

[a] the sureties shall affix his 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 his 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];**

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

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To

1. VIII Metropolitan Magistrate Court, George Town, Chennai

2. The Inspector of Police
C-2, Elephant Gate Police Station,
Flower Bazaar, Chennai.

3. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

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