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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34152 of 2026

CNR: {HCMA012733742026}

Srikanth
S/o Ezhumalai,
NO.12/2, 5th Seetharaman Street,
Kodungaiyur,
Chennai.

Case QR

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Dusi Police Station,
Tiruvannamalai District.
Crime No.89 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in CC.No.220 of 2026 on the file of Judicial Magistrate, Cheyyar.

For Petitioner(s): Mr.R. Muthukumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.09.2026 for the alleged offences under Sections 331(4) and 305 of BNS Act, 2023 in Crime No.89 of 2026 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner along with

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the co-accused, committed theft of 16 ¾ sovereigns of gold and cash of Rs.1,00,000/- from the house of the de facto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been arrested and remanded to judicial custody since 12.09.2026. He further submitted that the petitioner is innocent, aged 23 years, has been falsely implicated in this case. He further submitted that he is ready to abide by any 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 no previous cases, and that the investigation completed and the charge sheet has been filed. Hence, he oppose to grant 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. According to the prosecution, the petitioner along with other accused committed theft of 16 ¾ sovereigns of gold and cash of

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Rs.1,00,000/- from the defacto complainant's house. The part of the property has been recovered. The petitioner was arrested on 12.09.2026 and has been in judicial custody since then. The petitioner has no previous case pending against him. The investigation completed and the charge sheet has been filed. Considering the above facts and circumstances of the case, the fact that part of the stolen property was recovered, age of the petitioner and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner, 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**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Cheyyar,** 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;

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[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.

20-11-2026

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 Judicial Magistrate, Cheyyar.

2.The Inspector of Police
Dusi Police Station,
Tiruvannamalai.

3.The Superintendent, Central Prison,
Vellore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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