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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34429 of 2026

CNR: {HCMA012806492026}

Babu
S/o.Mani,
Residing at Puthanpurayil, Kundukadu Colony,
Malesamangalam Post,
Thrissur District,
Kerala - 680588.

Case QR

..Petitioner(s)

Vs

The State rep by the Inspector of Police
Harur Police Station,
Dharmapuri District,
Tamil Nadu.
Crime No.350 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS praying to enlarge the petitioner/Accused Babu on regular bail in Crime No.350 of 2026 on the file of the Inspector of Police, Harur Police Station, Dharmapuri District, on such terms and conditions as this Hon'ble Court may deem fit and proper interest of justice and thus render justice

For Petitioner(s): Mr.Abudu kumar Rajarathinam
for M/s.N.Nesa Merlin

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 punishable under **Section 318(4) of BNS** in

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Crime No. 350 of 2026 on the file of the respondent police, seeks regular bail.

2. It is a case of cheating involving gold jewelry. The de facto complainant is running a jewelry shop at Tanjore. The case of the prosecution is that during July 2023, the accused induced the de facto complainant to bring gold to Harur for a 10 kg temple order. The de facto complainant brought 700 grams of gold to Harur, which the accused took and did not return. Based on the complaint, an FIR was registered, and the petitioner was arrested on 12.09.2026. Hence, the case.

3. The learned Senior counsel for the petitioner submits that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that the petitioner was not named in the FIR and further no recovery was made from the petitioner. He further submitted that the statutory period for filing charge sheet is over, however till date charge sheet is not filed. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent state strongly opposes the grant of bail and also submitted that the petitioner has no similar previous cases.

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5.Considering the facts and circumstances of the case and the period of incarceration undergone by the petitioner and also considering the fact that the petitioner is not named in the FIR and there is no recovery from the petitioner, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during investigation and trial.

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 Judicial Magistrate, Harur** 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. for a period of thirty days and thereafter as and when required for interrogation;

[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

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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.

23-11-2026

SMA

To

1. Judicial Magistrate, Harur

2. Inspector of Police
Harur Police Station,
Dharmapuri District,
Tamil Nadu.

3. The Superintendent,
District Prison, Dharmapuri.

4. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

SMA

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