



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.36219 of 2025

D.Rajesh Sha

... Petitioner

Vs.

State Rep by its,
The Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.
Crime No.296 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.296 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.D. Balaji

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.08.2025 for the alleged offence under Sections 194 of BNS, 2023



@ 103(1) and 238(a) of BNS in Crime No.296 of 2025 on the file of the respondent police, seeks bail.

2. This is the successive bail petition. Earlier bail petition of the petitioner was dismissed by this Court in Crl.O.P.No.31476 of 2025 on 18.11.2025 for the following reasons:

“5.Considering the overt act of the petitioner and the fact that investigation in this case also pending, and the gravity of the offences, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.”

3. Today when the matter is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has been implicated in this case only based on the confession statement of the co-accused and he further submitted that investigation has been completed and final report was also filed.

4. The learned Government Advocate reiterated the prosecution case and also submitted that the final report was filed on 22.11.2025 and so far as it was not taken on file.



6. Considering the submissions of the learned counsel on either side, the fact that petitioner is in judicial custody from 24.08.2025 and major part of the investigation has been completed, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned District Munsif Cum Judicial Magistrate Kalasapakkam, Tiruvanamalai District* and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioner shall appear before the Trial Court concerned daily at 10:30 a.m., for a period of two weeks and thereafter, on all hearing dates without fail;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the



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evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

05.01.2026

smn

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.

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To

1. The *District Munsif Cum Judicial Magistrate Kalaspakkam, Tiruvanamalai District.*

2. The Inspector of Police,
Kalasapakkam Police Station,
Thiruvannamalai District.

3. The Superintendent,
Central Prison, Vellore

4. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

smn

CRL OP NO.36219 of 2025

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