



CRL OP(MD). No.11358 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Samathana Gandhi ... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi.

Cr.No.545 of 2026. ... Respondent/Complainant

PRAYER :-

For Bail in Crime No. 545 of 2026 on the file of the respondent police.

For Petitioner : N.Pragalathan,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to

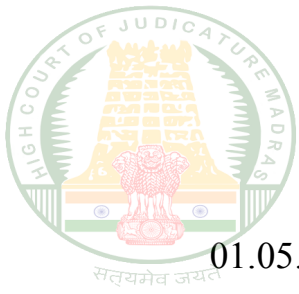


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judicial custody on 01.05.2026 for the offences punishable under Sections 296(b), 316(2), 318(4), 351(3) of BNS and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, in Crime No.545 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is the petitioner and the defacto complainant are the close relatives and on 02.11.2024, the petitioner received 17 ½ sovereigns of gold jewels from the defacto complainant for his family expenses by giving a false promise that he would return the same within six months. Thereafter, he failed to return the same. When the same was demanded by the defacto complainant, he threatened her. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that this is the second bail petition and the earlier petition filed by the petitioner was dismissed by this Court and the petitioner has been arrested and remanded to judicial custody on



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01.05.2026. Therefore, prayed to grant bail for the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that this is the second bail petition and considering the quantum of jewels involved in the case, earlier petition filed by the petitioner was dismissed by this Court and now, there is no change of circumstance and the property was not yet recovered and the investigation is still pending and the petitioner has 1 previous case. Hence, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and there is a dispute between the parties in respect of return of pledging jewels and though the petitioner has 1 previous case, in that case, he was released on bail and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following



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conditions:

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[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate Court No.1, Thoothukudi, Thoothukudi District**, and on further conditions that:

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.**

[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
17.06.2026

dss



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P. DHANABAL,J

DSS

To

1.The Judicial Magistrate Court No.1,
Thoothukudi, Thoothukudi District.

2.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi.

3. The Superintendent, District Jail, Perurani, Thoothukudi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date : 17/06/2026