



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 18985 of 2026

Syed Ali Fathima
S/o. Hanifa,
No,64-A, Melatheru, Kodikkal Palayam,
Thiruvarur District.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Town Police Station,
Thiruvarur District.
Crime NO.222 of 2026

..Respondent(s)

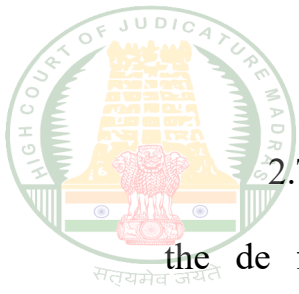
PRAYER: This Criminal Original Petition is filed under Section 482 of BNNS, 2023, praying to enlarge the Petitioner/Accused on Anticipatory Bail in the event of his arrest in Crime No.222 of 2026 pending investigation on file of the Respondent Police and thus render justice.

For Petitioner(s): M. Sarath Kumar
V. Manikandan

For Respondent(s): Mrs. R.S.Indira,
Government Advocate (crl.side)

ORDER

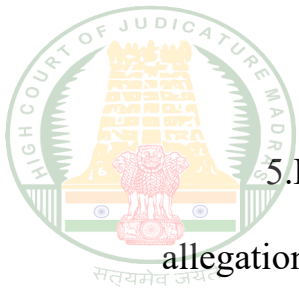
The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 305(a) of BNS, 2023 in Crime No.222 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner, who resides opposite the de facto complainant's house, had undertaken cooking work at the complainant's residence on 09.05.2025 and 10.05.2025. A few days thereafter, the de facto complainant found that four sovereigns of gold jewellery kept in the house were missing and suspected the petitioner of having committed the theft. Based on the complaint, the present case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. It is contended that the petitioner has absolutely nothing to do with the alleged offence and that the accusation is based merely on suspicion without any material connecting the petitioner to the alleged theft. The petitioner is willing to cooperate with the investigation, and therefore, custodial interrogation is not necessary.

4. The learned Government Advocate (Criminal Side) opposed the petition and submitted that the de facto complainant has specifically suspected the petitioner, who had access to the house while carrying out cooking work, of committing the theft of four sovereigns of gold jewellery. He further submitted that the investigation is at a crucial stage, recovery of the stolen jewels is yet to be effected, and custodial interrogation of the petitioner is necessary for effective investigation. Hence, the petitioner is not entitled to the discretionary relief of anticipatory bail and the petition deserves to be dismissed.



5. From a perusal of the First Information Report, it is seen that the allegation against the petitioner is based only on suspicion. Further, the alleged occurrence is stated to have taken place on 09.05.2025, whereas the complaint came to be registered only on 31.05.2026. Considering the nature of the allegations, the delay in lodging the complaint, and the fact that the accusation is founded only on suspicion, this Court is of the view that the custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court, Thiruvavur**, on condition that the petitioner shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 report before the respondent police daily at



10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

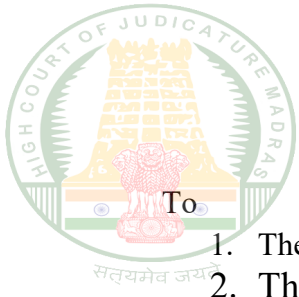
[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

17-07-2026

JRS



To

1. The Judicial Magistrate Court, Thiruvarur.
2. The Inspector of Police,
Town Police Station,
Thiruvarur District.
Crime NO.222 of 2026
3. The Public Prosecutor,
Madras High Court.

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G.K.ILANTHIRAIYAN, J.

JRS

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