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Crl.O.P.No.854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.854 of 2025

1. Rayar
2. Ramanraj
3. Suriya

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Cuddalore O.T. Police Station,
Cuddalore District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail in the event of their arrest in Crime No.395 of 2024 pending investigation on the file of the respondent.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.side)

ORDER

Apprehending arrest in connection with Crime No.395 of 2024 registered for the offences punishable under Sections 303(2), 317(2) of BNS, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioners, false



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implication in the case, learned counsel for the petitioners seek indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent persons and a false case has been foisted as against the petitioners. He further submitted that the petitioners are ready and willing to abide by any stringent conditions that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl.side) appearing for the respondent Police while opposing for grant of anticipatory bail to the petitioners is that the petitioners committed theft of iron materials from the defacto complainant's shop and sold to A1, who is a scrap merchant. He further submits that the petitioners have no previous case pending against them.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and



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accordingly the petitioners are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Cuddalore, on condition that the petitioners shall execute a separate bond each for a sum of Rs.10,000/- (Rupees Ten Thousand only), each 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 said Magistrate, on further condition that:

[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 06.30 p.m, until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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



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law as if the conditions have been imposed and the petitioners 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 269 of BNS.

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To

1. The Inspector of Police,
Cuddalore O.T. Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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