



Crl.O.P.No.1693 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

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

Crl.O.P.No.1693 of 2025

Vimal Raj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
(Crime No.311 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.311 of 2024, on the file of the respondent police.

For Petitioner : Mr.P.Krishna Moorthy

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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Crl.O.P.No.1693 of 2025

ORDER

Apprehending arrest in connection with Crime No.311 of 2024 registered for the offences punishable under Section 304 of Bharatiya Nyaya Sanhita, the present petition has been filed seeking anticipatory bail.

2. Learned counsel appearing for the petitioner would submit that petitioner is innocent and has not committed any offence and falsely implicated in this case, based on the confession of the arrested accused. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail to the petitioner, who has been arrayed as A3, based on the confession statement of the accused A1 & A2, is that the petitioner



along with other accused are snatched 6 sovereign gold chain from the defacto - complainant. He further submits that A1 and A2 were arrested and released on bail.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Mayiladuthurai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties (out of the two sureties, one should a blood relative of the petitioner) 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 petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the Judicial Magistrate- I on all working days at 10.30 a.m., until further orders.

[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 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 of BNS.

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Crl.O.P.No.1693 of 2025

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.1693 of 2025

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