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Crl OP No.1780 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 1780 of 2025

SURENDHAR

S/o. Ragupathi, No.250, gth Block,
Powerkuppam Royapuram, Chennai-13.

Petitioner(s)

Vs

The State Rep. By The Sub Inspector of
Police,
N2 Kasimedu Police Station, Chennai.
Cr.No.322 of 2024.

Respondent(s)

For Petitioner(s): Mr.Ezhil Balaji

For Respondent(s):

Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 399 & 402 of IPC, in Crime No.322 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.06.2024, when the



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respondent police and their team were on their routine patrol duty, they found that the petitioner along with other accused were making preparation for committing dacoity with deadly weapons such as knife and wooden log. The respondent has seized the weapons and arrested the accused. Hence the case.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person, aged about 25 years and he has been falsely implicated in this case, since he has got some previous cases. He further submits that the co-accused/A1, A4 and A6 were arrested and released on bail and that the custodial interrogation is not required in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused was found making preparations to commit dacoity with deadly weapons; that the petitioner has four previous cases including two NDPS cases and two other cases of IPC offence was pending against him. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the nature of allegations; that the co-accused were already released on bail, and that custodial interrogation of the petitioner is not required for the investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 of receipt of a copy of this order, before the **XVI Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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



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SUNDER MOHAN, J.

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[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.

05-02-2025

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To
1. The State Rep. By The Sub Inspector of Police,
N2 Kasimedu Police Station,
Chennai.
Cr.No.322 of 2024.