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Crl OP No.2053 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2053 of 2025

R.Vijaykumar
S/o.Raja, No.50/53, 10th Street, Annai
Sivagami Nagar, Ennore, Chennai - 600 057.

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
B-3, Fort Police Station, Chennai. Crime No.
48 of 2024.

Respondent(s)

For Petitioner(s):

Lokesh S

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 Section 309(4) of BNS, in Crime No.48 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 25.11.2024, the complainant was exchanging old currency for new currency through an



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agent where the defacto complainant was present. The co-accused one Gunazhagan brought 15 individuals to exchange Rs.3,00,000/-. The complainant changed the amount into coins and handed over Rs.2,49,000 to 12 individuals. Later Gunazhagan and three others attacked the complainant, took two bags of coins (Rs.60,000) and escaped by an auto. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent persons and he has been falsely implicated in this case. He further submits that the co-accused were already arrested and granted bail and the custodial interrogation is not required in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that it is a case of robbery. The defacto complainant had cash and A1 along with other accused robbed the said amount. A1 and A2 have been arrested and granted bail and the entire amount has been recovered from A1; and that no previous case is pending against the



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petitioner. Hence, he opposed for the grant of anticipatory bail to the petitioner.

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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 petitioner has no previous cases; co-accused were already released on bail, property recovered 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 ***VII 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



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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.

[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.

04-02-2025

To
1. The Inspector of Police,
All Women Police station,
Neyveli, Cuddalore.
(Cr.No.04 of 2025)

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