



Crl.O.P.No.2703 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM:

THE HON'BLE MR.JUSTICE **SUNDER MOHAN**

CRL O.P. No.2703 of 2025

Suresh,

... Petitioner/Accused

Vs

State by Tamil Nadu:-

The Inspector of Police,
(C3) Seven Wells Police Station,
Chennai.

...Respondent/Complainant

PRAYER:- The Criminal Original Petition is filed under Section 482 of B.N.S.S.,
pleaded to enlarge the petitioner/accused on anticipatory bail on event of arrest
in Crime No.192 of 2023 on the file of the respondent police (C3, Seven Wells
Police Station, Chennai).

For Petitioner : Mr.Venkateswara Babu

For Respondent : Mr.S.Balaji
Government Advocate
[Criminal Side]



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ORDER

The petitioner/accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Section 380 of the IPC in Crime No.192 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 29.11.2023, at about 02.30 hours, the petitioner along with another entered into the *de-facto* complainant's company and committed theft of 500 metres of cable and also committed another offence of theft of 500 metres of cable on 30.11.2023. Hence the case.

3. The learned counsel for the petitioner would submit that the case is of the year 2023 and the petitioner ought to be implicated on the confession of the co-accused and the co-accused were granted bail by the trial Court as early as on 05.01.2024 and 22.02.2024 in Crl.M.P.Nos.101 and 1942 of 2024 and sought for anticipatory bail.



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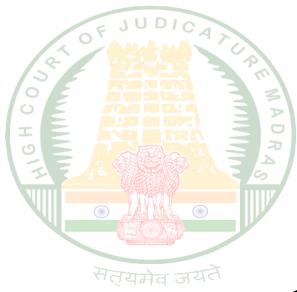
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4. The learned Government Advocate (Crl.Side), for the respondent police, confirms the fact that the co-accused have been arrested and released on bail and the petitioner sought to be implicated on the confession of the co-accused.

5. 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.

6. Considering the aforesaid facts, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of the investigation hence, the petition is allowed on certain conditions.

7. 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 learned ***VII Metropolitan Magistrate, George Town at Chennai***, on condition that the petitioner shall



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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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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 everyday 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].



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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

04.02.2025

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To

- 1.The VII Metropolitan Magistrate,
George Town at Chennai,
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police,
(C3) Seven Wells Police Station,
Chennai.



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SUNDER MOHAN. J.,

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