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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3102 of 2025

Sarathy alies kozhi manda sarathy
S/o.Suresh, No.L-34, TNHB Colony, Korattur,
Tiruvallur District

Petitioner(s)

Vs

State Rep.by The Inspector of Police
Thirumullaivoyal Police Station, Chennai, crime
no.610 of 2024

Respondent(s)

For Petitioner(s):

Karthick S
Ramachandran.S
B.Bharath

For Respondent : 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(6) of BNS, 2023, in Crime No.610 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant returning home, four accused persons interrupted him. One of them took a



knife, held it to his neck and snatched his two-wheeler, two mobile phones, helmet and smart watch. Hence a complaint.

3.The learned counsel for the petitioner submits that the petitioner is innocent person and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.The learned Government Advocate (Crl. Side) submits that the accused 1, 3 & 4 have been arrested. He further submits that the petitioner has six previous cases against him and is still absconding in another case. The stolen articles have been recovered from the co-accused.

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 the complaint, the petitioner is on bail in the previous case and since custodial interrogation of the petitioner is not required for the investigation, this Court is inclined to grant anticipatory bail



to the petitioner. 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 **Metropolitan Magistrate, Ambattur**, 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, 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 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 Petitioners in accordance with 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];

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SUNDER MOHAN , J.

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

07.02.2025

Index : Yes / No

Internet : Yes / No

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To

1. The Inspector of Police
Thirumullaivoyal Police Station, Chennai

2.The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.No.3102 of 2025