



WEB COPY



CRL O.P. No.2934 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2934 of 2025

Prakash S/o. Manikandan

.... Petitioner / Accused

Vs

State rep. by:-

The Inspector Of Police,
J-9 Thuraipakkam Police Station,
Chennai District. ... Respondent
[Cr. No.Not known of 2023]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.Not known of 2023 on the file of the respondent police.

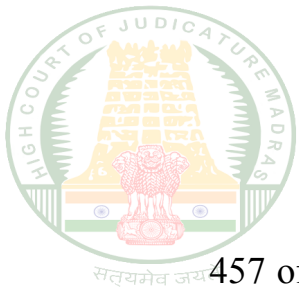
For Petitioner : Mr.Gopalakrishnan E

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

ORDER

The petitioner / Accused, who apprehends arrest in the hands of
the respondent police for the offence punishable under Sections 380 and

1/6



CRL O.P. No.2934 of 2025

WEB COPY

457 of IPC in connection with the case in Crime No. Not known of 2023,
seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other co-accused had entered into the house of the defacto complainant and committed theft of 5 sovereigns of gold jewels.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent; that he is sought to be implicated as an accused only based on the confession of the co-accused; that the co-accused were released on bail; and that the stolen property has been recovered and hence prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and submitted that the case is registered in Cr. No.38 of 2025; that the property has been recovered; and that the petitioner has one previous case registered under Section 302 of IPC, in which, he is on bail.



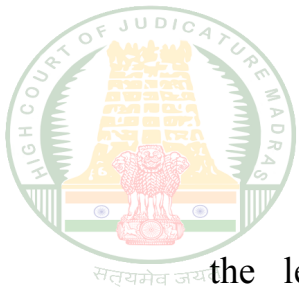
CRL O.P. No.2934 of 2025

WEB COPY

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 nature of allegations, the fact that the property was recovered, the petitioner is on bail in other previous case and in any case, since the custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner 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 **Judicial Magistrate-II, Alandur** on condition that the petitioners 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



CRL O.P. No.2934 of 2025

WEB COPY

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.

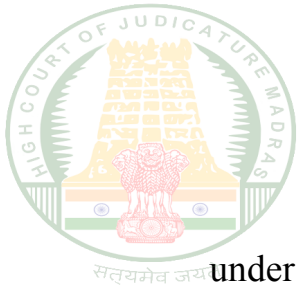
[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered



CRL O.P. No.2934 of 2025

under Section 269 B.N.S.

WEB COPY

17.02.2025

mjs

To

- 1.The Judicial Magistrate-II, Alandur.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, J-9 Thuraipakkam Police Station, Chennai District.

SUNDER MOHAN. J.,

mjs



WEB COPY



CRL O.P. No.2934 of 2025

CRL O.P. No.2934 of 2025

17.02.2025