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CRL OP NO. 3465 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3465 of 2025

M. Santhosh  
Son of Mari, Mettu Street, Seethancheri,  
Kurumanjeri, Kurumanjeri, Kancheepuram  
603106

Petitioner(s)

Vs

The State Of Tamil Nadu Rep.By, The  
Inspector Of Police,  
Palur Police Station, Chengalpattu District  
(Crime No. 7/2025)

Respondent(s)

CRL OP NO. 3465 of 2025

**For Petitioner(s):**

S Sathish Kumar  
N. Banu Priya  
G. Inbaraj

**For Respondent(s):**

Public Prosecutor

### **ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of the BNS, in Crime No.07 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that it is case of scooter theft, where the *de facto* complainant's scooter went missing, thereafter, on investigation, the petitioner and other accused were arrested. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case; the petitioner was arrayed as accused only based on the confession statement of co-accused; and that as the co-accused were arrested and released on bail, he may be released on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with the other accused persons had stolen the *de facto* complainant's scooter. He submitted that the co-accused was arrested and released on bail and the property was also recovered from the accused.

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



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6. Considering the submissions made on either side and also nature of allegation, the fact that the co-accused was arrested and released on bail, the property was recovered, there is no previous case as against the petitioner and since custodial interrogation of the petitioner is not required, 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 **Judicial Magistrate -I , Chengalpattu** 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 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 every day at 10:30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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.

**12-02-2025**

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To  
1. The State Of Tamil Nadu Rep.By, The Inspector  
Of Police,  
Palur Police Station,  
Chengalpattu District  
(Crime No. 7/2025)

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