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Crl.O.P.No. 3302 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3302 of 2025

1. Aravinthan @ N.Ramadas

2. Bharath

Petitioner(s)

Vs

The State rep by, The Inspector of Police,
Chettipalayam Police Station Coimbatore
District. (Crime No. 22 of 2025)

Respondent(s)

For Petitioner(s): N. Ponraj

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS 2023 in Crime No.22 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution as per the defacto complainant one Tamilselvan is that, he is working in KPM Equipment Company and on 23.01.2025 at about 7:00 a.m., while the defacto complainant and his friend were nearing the bus stop at Kallankadu thottam, they found that the three accused persons coming out of the land, which belongs to their company owner with two gunny bags, while the same was questioned, they tried to fled away from the spot, however, one of the accused person was caught with a gunny bag, in which 3 sandal woods worth about Rs.15,000/- was found, upon enquiring him, it is found that he along with the petitioners herein had involved in the theft of sandal wood from the company's land. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case, based on the confession of the co-accused; that the petitioners had never committed any offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to



the petitioners.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioners, stating that the petitioners along with other accused were involved in the theft of sandal woods from the land, which belongs to the owner of the company in which the defacto complainant is working; that the first petitioner/ A2 has no previous cases and the second petitioner/ A3 has three previous theft cases; and that the investigation is pending.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioners, submissions made by the learned counsels on either side, the fact that the first petitioner/A2 has no previous cases and the second petitioner/ A3 is on bail for the other cases registered against him and since, custodial interrogation is not required, this



Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Madhukarai** on condition that the petitioners shall execute a separate 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 condition that:

[a] the petitioners 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 petitioners shall report before the respondent police everyday at 10:30 a.m., until further orders.



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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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].

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

10.02.2025

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To

1. The State rep by, The Inspector of Police,
Chettipalayam Police Station
Coimbatore District.
(Crime No. 22 of 2025)



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SUNDER MOHAN, J.

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