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Crl.OP.No.4045 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4045 of 2025

Arun Prabhu

S/o- Kamaleshwaran, No. 10/27, Avvai Nagar,
1st Street, Villivakkam, Chennai-49

Petitioner(s)

Vs

State represented by The Inspector of Police
V4 Rajamangalam Police Station, Chennai
(Cr.No.701 of 2024)

Respondent(s)

For Petitioner(s):

Syed Parvez

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 Sections 308(2) of BNS, 2023 in Crime No.701 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 30.12.2024 at 8.00 p.m., the



accused has waylaid the de-facto complainant and snatched a sum of Rs.5,000/- from him at a shirt pocket. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner and the defacto complainant are known to each other; that the allegations are false and in any case, the custodial interrogation is not necessary; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions, submitted that the petitioner has 9 previous cases, similar in nature, pending against him; and that the previous cases were registered in the years 2010 to 2016 and one case in the year 2022.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner would deposit a sum of Rs.5,000/- without prejudice to his defence.



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WEB COPY 6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

7. Considering the nature of allegations; that the previous cases against the petitioner were registered in the years 2010 to 2016 and one case in 2022 and he is on bail in all the cases; and that custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 copy of this order, before the learned XIII Metropolitan Magistrate Court, Egmore, Chennai, on condition that the petitioner shall execute a bond for 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:

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- [a] the petitioner shall deposit a sum of Rs.5,000/- to the credit of Crime No.701 of 2024 before the learned XIII Metropolitan Magistrate Court, Egmore, Chennai, within a period of two weeks from the date of receipt of a copy of this order;**
- [b] 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;**
- [c] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**
- [d] the petitioner shall not abscond either during investigation or trial;**
- [e] the petitioner shall not tamper with evidence or witness either during investigation or trial;**
- [f] On breach of any of the aforesaid conditions, the**



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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*** reported in [(2005)AIR SCW 5560];

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

17.02.2025

drl

SUNDER MOHAN, J.



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drl

To

1. The Inspector of Police
V4 Rajamangalam Police Station,
Chennai
2. The Public Prosecutor,
Madras High Court,
Chennai.

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