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CRL O.P. No.3789 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.3789 of 2025

Vijay S/o. Periyasamy Petitioners / Accused-4

Vs

State rep. by:-

The Inspector Of Police,
Saravanampatty Police Station,
Coimbatore. ... Respondent
[Cr. No.380 of 2024]

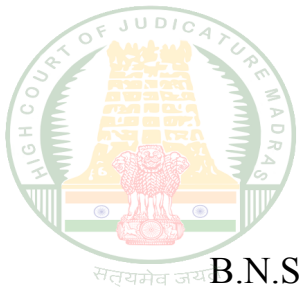
PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner/ Accused in Crime No.380 of 2024 on the file of the respondent police.

For Petitioner : Mr. Petchiappan.S.

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 Section 304 of



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B.N.S. in connection with the case in Crime No.380 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant while walking and returning to home, 2 persons had snatched away her chain weighing about 3 sovereigns and that the accused A1 and A2, who involved in the offence, had handed over the chain to the petitioner herein, who in turn, had handed over cash in return and took the gold chain.

3. Learned counsel for the petitioner would contend that the occurrence was taken place on 27.07.2024; that the petitioner is sought to be implicated, only based on the confession statement of the co-accused; that A2 was arrested and that in any case, custodial interrogation is not required and hence prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and on instructions, would submit that co-accused



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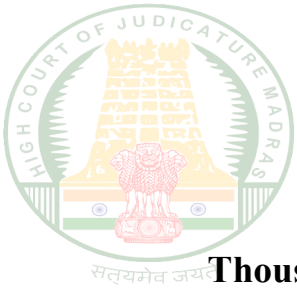
were arrested and this petitioner was implicated based on the confession statement of the co-accused.

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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 petitioner has been implicated as an accused, only based on the confession statement of the co-accused and since custodial interrogation 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 No.II, Coimbatore** on condition that the petitioners shall each execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten**



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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 conditions that:

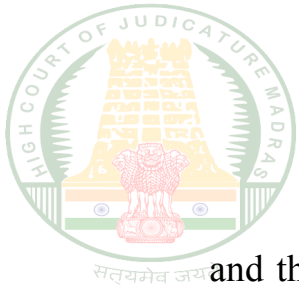
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police 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 petitioner in accordance with law as if the conditions have been imposed



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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 under Section 269 B.N.S.

17.02.2025

mjs

To

- 1.The Judicial Magistrate No.II, Coimbatore
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, Saravanampatty Police Station, Coimbatore.

SUNDER MOHAN. J.,

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