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Crl OP No.4481 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4481 of 2025

Naveen

... Petitioner

Versus

State rep by
Inspector of Police,
Kariyapattinam Police Station,
Nagapattinam District.
Crime No.2 of 2025.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.2 of 2025 on the file of the respondent police.

For petitioner : Mr.K.Pragadeesh Kumar

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 Section 331 (3) and 305(e) of BNS, 2023 in Crime No.2 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A4 along with



other accused trespassed in to the community hall of the village and stolen a electric motor in the toilet and 11 ceiling fans from the Panchayat Board.

3. Learned counsel appearing for the petitioner would submit that the allegations are false and in any case, the custodial interrogation of the petitioner is not required. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the stolen articles were recovered. He further submits that the co-accused was enlarged on bail by this Court in Crl.OP.No.3511 of 2025.

5. Considering the nature of allegations, the stolen articles were recovered, for that the co-accused was enlarged on bail and since the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, 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 on which the order copy is made ready, before the **Judicial Magistrate, Vedaranyam** on condition that the petitioner shall execute a



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bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 is 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

20.02.2025

Vv

To



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1. The Judicial Magistrate,
Vedaranyam
2. The Inspector of Police,
Kariyapattinam Police Station,
Nagapattinam District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

SUNDER MOHAN, J.



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