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Crl.O.P.No.4912 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

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THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.4912 of 2025

A.Tamilarasan

...Petitioner /Accused No.7

Vs.

The State of Puducherry
Rep. by Station House Officer
CBCID Police Station
Crime No.103 of 2024
Puducherry.

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.103 of 2024 on the file of the CBCID Police Station, Puducherry in the event
of arrest or on appearing before the learned Judicial Magistrate No.3, Puducherry

For Petitioner : Mr.Vijayakumar A

For Respondent : Mr.John Sathyan
Senior Counsel
Puducherry



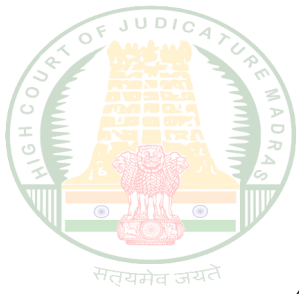
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ORDER

The petitioner/A7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 357, 379, 364-A, 384, 392 of the IPC and Section 25(1-A) of the Arms Act r/w. and Section 149 of IPC in Crime No.103 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with other accused persons, had threatened the de facto complainant, kidnapped him in the car, and thereafter forced him to hand over the jewels worth Rs.80,000/- and transfer a sum of Rs.89,000/- by way of G-pay account. Hence, the complaint.

3. Learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution; that the petitioner is not a named accused in the FIR and sought to be implicated based on the confession of the co-accused; that the co-accused/A1 was arrested and released on bail by this Court in Crl.O.P.No.3076 of 2025 dated 10.02.2025 and sought for anticipatory bail to the petitioner.



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4. Learned Public Prosecutor (Puducherry), appearing for the respondent police, reiterated the prosecution case and confirmed the fact that the co-accused was granted bail by this Court in Crl.O.P.No.3076 of 2025 dated 10.02.2025.

5. Considering the submissions made on either side, the nature of the allegation, the facts that the co-accused has already been granted bail by this Court, the petitioner is not a named accused in the FIR and sought to be implicated based on the confession of the co-accused, and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy was made ready, before the learned **Judicial Magistrate No.III, Puducherry**, on condition that the petitioner 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, on further condition that:

[a] 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, everyday at 10.30 a.m., until further orders.

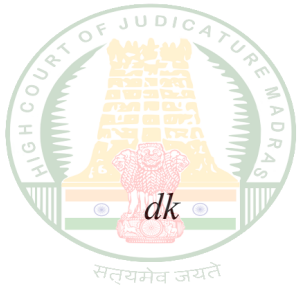
[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

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To

- 1.The Judicial Magistrate No.III,
Puducherry.
2. The Station House Officer
CBCID Police Station
Crime No.103 of 2024
Puducherry.
- 3.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN,J.

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28.02.2025

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