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Crl OP No.5340 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5340 of 2025

Krishnan

... Petitioner

Versus

State by
Inspector of Police,
F2-SIPCOT Police Station,
Thiruvallur District.
(Cr.No.68 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 Cr.No.68 of 2025 on the file of the respondent police.

For petitioner : Mr.S.Sasi Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS in Crime No.68 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that A1 are A2 are drivers who had mixed blue metals chip with iron pellets and supplied it to the defacto complainant's company; that they had committed theft and handed it over to the petitioner, that the petitioner was the receiver of stolen properties.

3. Learned counsel appearing for the petitioner would submit that the allegations are false; that the alleged stolen property had been recovered and there is no bad antecedents against the petitioner 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 stolen property had been recovered and there is no bad antecedents against the petitioner.

5. Considering the nature of allegations and the fact that the stolen property had been recovered, there is no bad antecedents against the petitioner and since this court is of the view that the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner.



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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 days from the date on which the order copy is made ready, before the learned ***District Munsif-Cum-Judicial Magistrate, Gummidipoondi*** on condition that the petitioner shall execute a 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 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.



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[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 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]**;

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

27.02.2025

Vv

To

1. The District Munsif-Cum-Judicial Magistrate,
Gummidipoondi .
2. The Inspector of Police,
F2-SIPCOT Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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