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Crl.O.P.No.5424 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

Crl.O.P.No.5424 of 2025

Madhankumar

...Petitioner/Accused

Vs.

The State Rep by
Inspector of Police,
Palur Police Station
Chengalpet District
Cr. No.7 of 2025

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in the above Crime No.7 of 2025, pending on the file of the respondent police.

For Petitioner : Mr. L. Ramu

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 offence punishable under Sections 302(2) BNS, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 07.01.2025, the *de facto*



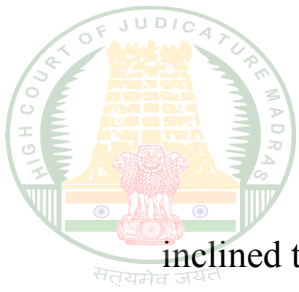
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complainant's three two-wheelers which were parked in his residence were missing. Based on the complaint lodged by the *de facto* complainant, the respondent police registered an FIR in crime No.7 of 2025, in which, the petitioner is arrayed as A-3. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused were arrested and released on bail. He also submitted that the petitioner is a law abiding citizen and ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, on instructions, submitted that the two-wheelers were recovered by the respondent police and two previous cases of a similar nature is pending against the petitioner.

5. Considering the nature of allegation; that the two-wheelers were recovered and co-accused were released on bail; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is



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inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Chengalpet**, 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:

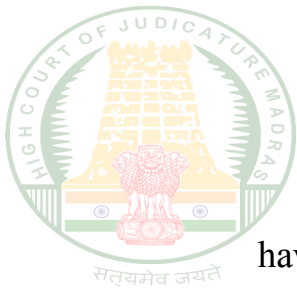
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

[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



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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];

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

27.02.2025

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To

1.The Judicial Magistrate No.I
Chengalpet

2.The Inspector of Police
Palur Police Station
Chengalpet District

3.The Public Prosecutor
High Court of Madras



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SUNDER MOHAN,J.
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