



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5641 of 2025

Rahumankhan

... Petitioner/A3

Vs.

State, Rep. by Inspector of Police
Sriperumbudur Police Station,
Kancheepuram District.
(Crime No.95 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest Crime No.95 of 2025, on the file of the respondent Police.

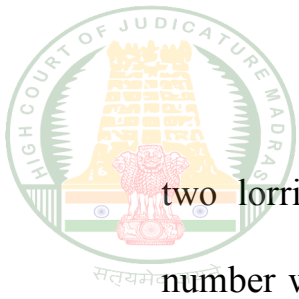
For Petitioner : Mr.V.Manimaran

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318 (4), 338 and 336(4) of BNS Act (Sections 465, 467 and 420 of IPC) in Crime No.95 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the owner of



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two lorries; that in both the lorries the number plate of same registration number was fixed in order to evade GST and that the FIR was registered *suo*

3. The learned counsel appearing for the petitioner would submit that the allegations are false; that in any case A1 and A2 who are the drivers of the lorries were arrested and released on bail by the learned Magistrate on 20.02.2025; and that considering the nature of allegations, custodial interrogation of the petitioner is not required for the purpose of investigation and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Cr1.Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioner had instructed A1 and A2 to fix the number plates containing the same registration number in both the lorries.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the respondent police and perused the materials available on record.



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6. Considering the nature of the allegations against the petitioner; since the allegations are borne out by records; and the fact that A1 and A2 were arrested and released on bail, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation and hence, inclined to grant anticipatory bail to the petitioner with 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 on which the order copy made ready, before **the learned Judicial Magistrate, Sriperumbudur**, on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 daily at 10.30. a.m., before the respondent police, until further orders.

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[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 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.

03.03.2025

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CrI.O.P.No.5641 of 2025

SUNDER MOHAN, J.

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To

1.The Judicial Magistrate,
Sriperumbudur.

2.The Inspector of Police
Sriperumbudur Police Station,
Kancheepuram District.

3.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.5641 of 2025

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