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Crl O.P.No.6121 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**CRL OP NO. 6121 of 2025**

1. Subash

2. Jegadish

Petitioners/A9 & A10

Vs

The State Rep by,  
The Inspector of Police,  
Omerabad Police Station,  
Thirupathur District.  
(Crime No.372 of 2024)

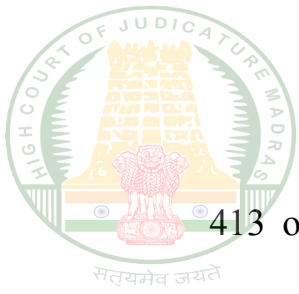
Respondent

Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on  
anticipatory bail in the event of arrest in Crime No. 372 of 2024 pending  
on the file of the respondent police.

|                 |   |                                                 |
|-----------------|---|-------------------------------------------------|
| For Petitioners | : | M/s.Sasikumar S                                 |
| For Respondent  | : | Mr.S.Santhosh<br>Government Advocate (Crl.Side) |

**ORDER**

The petitioners, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Sections 408 and



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413 of IPC, in Crime No.372 of 2024, on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners, along with the other accused, fabricated fake challans and had stolen around 29,283 sq.ft. of foam, worth about Rs. 49,06,634/-.

3. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case, that the co-accused were arrested and released on bail, that the petitioners have no bad antecedents, and in any case, custodial interrogation of the petitioners is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners have no bad antecedents and substantial portion of the stolen property was recovered and that the petitioner was implicated on the confession of the co-accused.



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5. In view of the above said submissions, considering the nature of the allegations, the co-accused were arrested and released on bail, that the petitioners have no bad antecedents; that most of the stolen property was recovered and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Ambur**, on condition that the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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.



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[b] the petitioners shall report before the respondent police everyday at 10:30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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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**vca**



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To:

1. The Inspector of Police,  
Omerabad Police Station,  
Thirupathur District..
2. The Judicial Magistrate, Ambur
3. The Public Prosecutor,  
Madras High Court.



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**SUNDER MOHAN, J.**

vca

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