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Crl OP No.7441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7441 of 2025

Rahim Ahmamd Sheriff

... Petitioner

Versus

The State rep by
The Inspector of Police,
D2, Anna Salai Police Station,
Chennai.

... Respondent

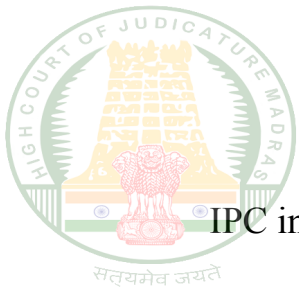
Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of their arrest in connection with Cr.No.208 of 2024 on the file of the respondent police.

For petitioners : Mr.Muthukumar Raja

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 115(2), 126(2), 296(b), 309(4) and 351(3) of B.N.S (Sections 323, 341, 294(b), 392 and 506(2) of



IPC in Crime No.208 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that on 14.11.2024 the petitioner along with co-accused waylaid the defacto complainant and robbed a sum of Rs.600/-. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case and in any case, the custodial interrogation of the petitioner is not required. Therefore, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and further submitted that the petitioner is on bail in one previous case. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



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6. Considering the nature of allegations, the fact that he is on bail in the previous case and since, custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is 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 is made ready, before the **learned II Metropolitan Magistrate Egmore, Chennai**, 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 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 before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either



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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 Petitioners 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 BNS.

14.03.2025

dpq

To

1. The Inspector of Police,
D2, Anna Salai Police Station,
Chennai.
2. The learned II Metropolitan Magistrate Egmore,
Chennai.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

SUNDER MOHAN, J.



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