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CRL OP NO. 8427 of 202.



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.03.2025**

CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 8427 of 2025

Thameem Ansari

Petitioner/A3

Vs

The State Rep By
The Inspector of Police
B-1, North Beach Police Station,
Chennai.
(Crime No.367 of 2020)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 367 of 2020 pending
on the file of the respondent police.

For Petitioner	:	Mr.Vasanth V
For Respondent	:	Mr.S.Santhosh, Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 147, 294(b), 323, 342,
363 and 506 (i) of the IPC in Crime No.367 of 2020, on the file of the
respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, the de facto complainant and one Mariam, were in a relationship over phone; that in the guise of marrying her, he had received 15 sovereigns of gold jewels and Rs.2,50,000/- lakhs from the said Mariam; that the de facto complainant neither returned the jewels nor repaid the amount and aggrieved by the same, the petitioner along with the other accused went to the de facto complainant's room and assaulted him.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent; he has been falsely implicated in this case; the co-accused were arrested and released on bail; that the petitioner has no bad antecedents and in any case, custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the injured was discharged from the hospital and that the petitioner has



no bad antecedents.

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5. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, the petitioner has no bad antecedents, that the co-accused were arrested and released on bail and since, custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 made ready, before **the learned VII Metropolitan Magistrate Court, George Town, Chennai** 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, and on proof of payment of deposits, 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



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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 everyday 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.

[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.



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To:

1. The Inspector of Police
B-1, North Beach Police Station,
Chennai.
2. The VII Metropolitan Magistrate Court,
George Town, Chennai
3. The Public Prosecutor,
High Court Madras.



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