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CRL O.P. No.8318 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8318 of 2025

K. Subramaniyan S/o. Kalivarathan ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Vigilance and Anticorruption,
Puducherry. ... Respondent
[Cr. No.2 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

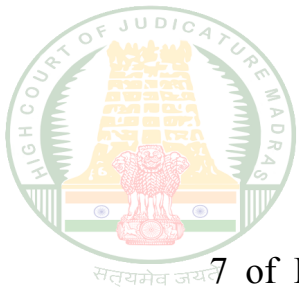
Cr. No.2 of 2025 on the file of the respondent police.

For Petitioner : Mr.A. Natarajan, Senior Counsel
for Mr. C.P. Palanichamy

For Respondent : Mr.K.S. Mohandass
Additional Public Prosecutor.
[Puducherry]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the offence punishable under Sections 13(1)(b) and



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7 of PC Act in connection with the case in Cr. No.2 of 2025, seeks
anticipatory bail.

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2. The case of the prosecution is that the defacto complainant's mother had pledged her jewels at Kombakkam Primary Agriculture Co-operative Credit Society; that during the Auditing conducted on 16.05.2023, it was ascertained that 18 nos of jewel packets including the jewels pledged by the defacto complainant's mother weighing about 588.500 grams worth about Rs.33 lakhs, were found missing. It is the further case of the prosecution that the petitioner demanded and received Rs.1,500/- from the defacto complainant by representing that he would help him to recover the jewels from the society.

3. The learned counsel for the petitioner would contend that the jewels were recovered; that the petitioner has nothing to do with the alleged demand of money; that he has been falsely implicated; that he has no bad antecedents; that the petitioner and the defacto complainant are known to each other; that the allegations against the petitioner are false;



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and that custodial interrogation of the petitioner is not required and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case.

5. Considering the aforesaid facts, since the allegations are borne out by records and the petitioner has no bad antecedents, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on 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 of receipt of a copy of this order, before the learned **Special Judge Court, Puducherry** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two



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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 conditions 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 stay at Yanam and report before the Station House Officer, Yanam Police Station 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



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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]; and

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

27.03.2025

mjs

To

- 1.The Special Judge Court, Puducherry.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Vigilance and Anticorruption, Puducherry.
- 4.The Station House Officer, Yanam Police Station, Yanam.

SUNDER MOHAN. J.,

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