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Crl.O.P.No.8972 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8972 of 2025

1. Arunkumar
2. Bharath

Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
Neyveli Township Police Station,
Cuddalore District.
(Crime No.12 of 2025)

Respondent(s)

For Petitioner(s): Mr.Gadhi Kumar Kalyanasundram

For Respondent(s): Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of his arrest by the Respondent in Crime No.12 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehends arrest at the hands of the respondent for the offences punishable under Section 310(4) of BNS and 25(1A) of Arms Act, in Crime No.12 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, the accused were planning to commit dacoity and they were in possession of weapons.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; that the co-accused were arrested and released on bail by this Court in Crl.O.P.No.2827 of 2024 dated 05.02.2025 and that prayed for anticipatory bail for the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that there is no bad antecedents against the petitioners.

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

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the petitioners have no bad antecedents, the co-accused were enlarged on bail by this Court and since, custodial interrogation is not required for the purpose of



investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 on which the order copy made ready, before the learned **District Munsif cum Judicial Magistrate, Neyveli**, on condition that the petitioners shall execute a separate bond each 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 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;

[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;



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[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 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 of B.N.S.

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To

1. The Inspector Of Police,
Neyveli Township Police Station,
Cuddalore District.
2. The District Munsif cum Judicial Magistrate,
Neyveli.

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