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CRL O.P. No.9236 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.9236 of 2025

Karthick S/o. Kamaraj

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Jolarpet Police Station,
Tirupathur District.

... Respondent

[Cr. No.690 of 2024]

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.690 of 2024 on the file of the respondent police.

For Petitioner : Mr. E. Kannadasan

For Respondent : Mr. S. Balaji,

Government Advocate

[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 303(2) of B.N.S. in connection with the case in Cr. No.690 of 2024, seeks



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anticipatory bail.

2. The case of the prosecution is that 46 nos. of centering steal sheets of the defacto complainant were stolen.

3. The learned counsel for the petitioner would contend that the petitioner has nothing to do with the commission of offence; that he has been falsely implicated based on the confession of the co-accused; that he is not a named accused in the FIR; that the allegations against the petitioner are false; 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 and on instructions, submitted that the petitioner has one previous case, in which, he is on bail and that the stolen property has been recovered from the co-accused.

5. Considering the aforesaid facts, nature of allegations, the fact that the stolen property has been recovered and since the custodial interrogation of the petitioner is not required for the purpose of



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investigation, 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 **Judicial Magistrate-I, Tirupattur** on condition that the petitioner 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 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 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;



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[d] the petitioner shall not abscond either during investigation or

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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]; and

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

27.03.2025

mjs

SUNDER MOHAN. J.,

mjs

To

- 1.The Judicial Magistrate-I, Tirupattur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Jolarpet Police Station, Tirupathur District.



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