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Crl.O.P.No.10134 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10134 of 2025

Vignesh

Petitioner(s)

Vs

The State Represented by,
Inspector of Police,
P-5, Police Station,
MKB Nagar, Chennai.
(Crime No.102 of 2025)

Respondent(s)

For Petitioner(s) : Mr.S.Ambedkar

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

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent in Crime No.102 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 303(2) of BNS @ 379 of IPC in Crime No.102 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 petitioner along with other accused had committed theft of bicycle and water pump from the defacto complainant's house. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, aged 20 years, and he has been implicated based on the confession statement of the other accused; that the co-accused was granted bail by the Lower Court; and in any case, the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. 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 property has been recovered from A1 and A2; and that the petitioner had six previous cases, while he was a Juvenile, and he is on bail in all those cases.

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

6. Considering the nature of allegations; the fact that the petitioner is sought to be implicated on the confession of the co-accused; and since the



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custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

8. 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 **X Metropolitan Magistrate, Egmore, 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, 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.**



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[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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04-04-2025

To

1. The Inspector of Police,
P-5, Police Station,
MKB Nagar, Chennai.

2. The Public Prosecutor,
High Court, Madras.

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