

Crl.O.P.No.10479 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.10479 of 2025

1. K. Venkatesan (Aged 50 years),
S/o. Kesavan,
No.17B, 3rd Cross Street,
Mohanapuri, Adambakkam,
Kancheepuram-600 088.

2. Rasool Beevi (Aged 44 years),
W/o. K.Venkatesan,
No.17B, 3rd Cross Street,
Mohanapuri,
Adambakkam,
Kancheepuram-600 088.

... Petitioners/Accused 1 & 2

Vs.

State Rep. by,
The Inspector of Police,
St. Thomas Mount Police Station,
St. Thomas Mount, Chennai.
(Crime No. 33 of 2025)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleaded to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.33 of 2025 on the file of the respondent viz., Inspector of Police, St.Thomas Mount Police Station, St.Thomas Mount.



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For Petitioners : Mr.M.Nuzhath Khanan
For Respondents : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)
For Intervenor : M/s.B.Jeyanthi,

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police, for the alleged offences punishable under Sections 191(2), 191(3), 329(4), 324(4), 305(a), 351(3) and 190 of BNS, 2023, in Crime No.33 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The property dispute between the co-owners as resulted in a complaint in F.I.R.No.33/2025, alleging that the petitioners herein trespass into the house and taken away valuable things as well as original documents.

3. The learned counsel states that the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed the grant of anticipatory bail.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submissions made and the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, **on or before 28.08.2025 before the learned Judicial Magistrate-I, Alandur**, on condition that **each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only)** with two sureties, each for a likesum 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 further condition:



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(a) If the petitioners fail to surrender before the concerned Magistrate on or before 28.08.2025, this Order shall stand automatically cancelled;

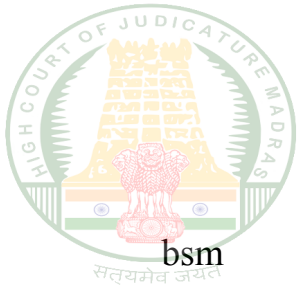
(b)The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c)The petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To,

1. The Judicial Magistrate I, Alandur.
2. The Inspector of Police, St. Thomas Mount Police Station, St. Thomas Mount, Chennai.
3. The Public Prosecutor, High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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