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Crl.O.P.No.10940 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.10940 of 2025

Rajasekar
S/o. William Duraisamy

....Petitioner/Accused-2

Vs

The State represented by
The Inspector of Police,
E3 Minjur Police Station,
Thiruvallur District.
Crime No.227/2025

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest **in Crime No.227 of 2025**, on the file of the respondent police.

For Petitioners : Mr. Basker Dhanakaran

For Respondent : Mr. S. Balaji
Government Advocate (Crl. Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(1), 325 of BNS, 2023, in Crime No.227 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 along with the petitioner had stolen the cow of the *de facto* complainant and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the petitioner is innocent; that the petitioner has been falsely implicated in the case; and that without prejudice to his contentions, to show his bonafides, the petitioner is ready to deposit Rs.10,000/- to the credit of the crime number and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl. Side) reiterated the prosecution case and submitted that A1 was arrested and is still in custody.



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5. Considering, the nature of allegations against the petitioner and the fact that A1 was arrested and still in custody and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Further, taking into consideration the voluntary submission made by the petitioner offering to deposit a sum of Rs.10,000/- to the credit of crime number, this Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioner may be directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.227 of 2025.

6. Accordingly, the petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.227 of 2025 and on such deposit and on receipt of proof of payment, 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 Judicial Magistrate-I, Ponneri**, 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 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.

[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



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P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

15.04.2025

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To

1. The Judicial Magistrate-I, Ponneri.
2. The Inspector of Police,
E3 Minjur Police Station
Thiruvallur District
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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