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Crl.O.P.No.11306 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.11306 of 2025

Narayanan
S/o. Ramasamy

....Petitioner/Accused-2

Vs

State represented by
The Sub-Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.400 of 2024)

....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.400 of 2024** on the file of the respondent police

For Petitioner : M/s. S. Ponmozhi

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



ORDER

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2. The case of the prosecution is that the accused persons had stolen the construction materials worth about Rs.15,000/- from the *de facto* complainant's house at native place. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that due to previous enmity, the *de facto* complainant has lodged a false complaint against the petitioner; that he was not involved in the said offence ; and that the petitioner is ready to furnish solvent sureties and to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that



the first accused was arrested and released on bail; that the property has been recovered; that the petitioner has no bad antecedents and that the final report has been filed.

5. Considering, the nature of allegations against the petitioner, the fact that the co-accused had been arrested and released on bail, the petitioner has no bad antecedents and that since the stolen property has been recovered and final report has been filed, custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with 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 on which the order copy made ready, before **the learned Judicial Magistrate, Karimangalam,** 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:

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[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.

[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].



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

16.04.2025

bga

To

1. The Judicial Magistrate, Karimangalam.
2. The Sub-Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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