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Crl.O.P.No.11446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11446 of 2025

Muthuselvan

Manikandan Gajenthiran @ Mani

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
R-10, MGR Police Station,
Chennai.
(Crime No.105 of 2025)

Respondent(s)

For Petitioner(s) : Mr.Vinoth. R

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

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.105 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 126(2), 296(b), 308(2), 351(3) of 115(2) and 351(3) of BNS in Crime No.105 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with other



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accused waylaid the defacto complainant and robbed a sum of Rs.1800/- at knife

point. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations against the petitioners are false; that the petitioners were implicated based on the confession of the other accused; and in any case, the custodial interrogation of the petitioners are not required and sought for anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the co-accused/A1, A2 & A3 have been arrested and released on bail; that there is one previous case against the first petitioner/A4 and two previous cases against the second petitioner/A5, and they are on bail in those cases.

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

6. Taking note of the facts and circumstances of the case, nature of



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allegations, submissions made by the learned counsel on either side, the fact that

that the co-accused have been released on bail; the petitioners are on bail in previous cases and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XXIII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioners 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 petitioners 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;

SUNDER MONHAN, J.



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[b] the petitioners shall stay at Trichy and report before the Trichy Cantonment Police Station, daily at 10.30 a.m., until further orders.

[c] the first, second and third petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the first, second and third petitioners 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 first, second and third petitioners 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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To

1. The Inspector of Police,
R-10, MGR Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

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