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Crl.OP.No.20917 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.20917 of 2025

1. Mounam
2. Malarvizhi

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Madipakkam Police Station,
Chennai District.
(Crime No.163 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.163 of 2025, on the file of the respondent, on such terms and conditions.

For Petitioners : Mr.R.Parthiban

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



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ORDER

The petitioners, who apprehends arrest for the alleged offence punishable under Sections 308(2) and 351(2) of BNS, (u/s.384 and 506 of IPC), in Crime No.163 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that the defacto complainant had borrowed some money from these petitioners and on failure of payment, these petitioners had forcefully took away the Car and a Scooter, both which the defacto complainant had bought through a loan via Shriram Finance Ltd. When the defacto complainant raised a complaint about the same, these petitioners had refused to return the vehicle. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the car has been recovered, A1 and A2 already granted anticipatory bail. However, he vehemently opposed to grant anticipatory bail to the petitioners.



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5. Considering the facts and circumstances, and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate Court No.II, Alandur***, on condition that the petitioners 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 and on further condition that:

(a) 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 1st petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for the period of eight weeks and the 2nd petitioner shall report



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**before the respondent police as and when requires for
interrogation;**

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the 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 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 Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 Court No.II, Alandur.
- 2.The Inspector of Police,
Madipakkam Police Station,
Chennai District.
- 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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