



Crl.OP.No.13143 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 02.06.2025

CORAM
THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR
CRL OP NO.13143 of 2025

1.A.Pavithra @ Anitha

2.G.Natarajan @ Nakeeran

Petitioners

Vs

The State Rep By
The Station House Officer,
Mangalam Police Station,
Puducherry.
(Puducherry State).
(Crime No.27 of 2025)

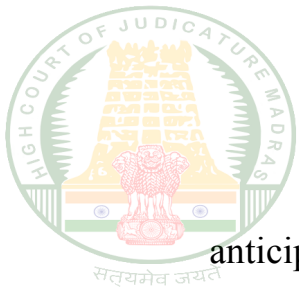
Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on anticipatory
bail in the event of arrest in Crime No.27 of 2025 pending on the file of the
respondent police.

For Petitioners : M/s.Maria Merline Mancy
For Respondent : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Section 306, 351 (3) r/w 3 (5) of
BNS Act in Crime No.27 of 2025, on the file of the respondent police, seek



anticipatory bail.

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2.The case of the prosecution is that, the defacto-complainant is running a medical shop in the name of Sri Aravindh Medicals and the first petitioner was employed there and had committed theft Rs.3000/- to Rs.4000/- per day which comes to around Rs.8,70,000/- and handed over the same to the second petitioner which has been recorded in the CCTV footage. Hence the case.

3.The contention of the learned counsel for the petitioners is that the petitioners are innocent and they had been falsely implicated in this case. He also submitted that the custodial interrogation of the petitioners is not required. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The 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 defacto-complainant is running a medical shop in the name of Sri Aravindh Medicals and the first petitioner was employed there for more than three



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years. Since the defacto-complainant was constructing a new house he was busy with the construction and taking advantage of the same the first petitioner had theft Rs.3000/- to Rs.4000/- per day and handed over the same to the second petitioner which has been recorded in the CCTV footage. Now, investigation has been completed and charge sheet has been filed before the learned Judicial Magistrate No.4, Pondicherry and it is yet to be taken on file.

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

6.Considering the fact that investigation has been completed and charge sheet has been filed and since, custodial interrogation of the petitioners is not required, 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 Judicial Magistrate IV, Puducherry** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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 proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [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 appear before the respondent Police as and when required;**

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall



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not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make himself available for interrogation by a Police office as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] the petitioners shall not abscond either during investigation or trial;

[h] 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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M.NIRMAL KUMAR, J.

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To:

- 1.The Station House Officer,
Mangalam Police Station,
Puducherry.
(Puducherry State).
- 2.The Judicial Magistrate IV
Puducherry.
- 3.The Public Prosecutor,
High Court Madras.

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