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Crl.O.P.No.14337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.05.2025**

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CRL.O.P.No.14337 of 2025

Shyam

... Petitioner

Versus

The State rep by,
The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

(Crime No.489 of 2024)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police pending investigation in Crime No.489 of 2024 on the file of the respondent police.

For Petitioner : Mr.T.Shanmugam

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 304 of BNS Act, 2023 in Crime No.489 of 2024, on the file of the respondent police,



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seeks anticipatory bail.

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2.The case of the prosecution is that on 16.12.2024 at about 07.00 p.m, while the defacto complainant and her son were travelling on their bike, a red colour Yamaha R15 bike waylaid them and snatched 2 sovereigns of gold chain from the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He also submitted that NBW has been issued against the petitioner and that he has approached this Court for anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner along with other accused snatched the defacto complainant's gold chain of 2 sovereigns. Hence, he opposed to grant anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case



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and also considering the submissions made on either side and that NBW has been issued against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate I, Vellore**, 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.



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[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 is released on anticipatory 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 229-A IPC.

08.05.2025

Anu

Note:-Registry is directed to forthwith upload this order in the official website of this Court.

- 1. 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 official website of this Court will be watermarked and will also have a QR code.**

To



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1.The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

2.The Judicial Magistrate I, Vellore

3.The Public Prosecutor,
High Court, Madras.

L.VICTORIA GOWRI, J.



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