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CrI.O.P.No.14670 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.14670 of 2025

1.Devadoss
2.Sangeethadass
3.Jayalakshmi

... Petitioners/Accused

Vs.

State rep.by
The Inspector of Police
Thirukoilur Police Station
Kallakurichi District
(Crime No.248 of 2025).

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on
anticipatory bail in the event of their arrest in Crime No.248 of 2025 on the
file of the respondent/complainant.



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Crl.O.P.No.14670 of 2025

For Petitioners : Mr.S.Siva Kumar

For Respondent : Mr.R.Vinothraja

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023, in Crime No.248 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is doing a milk business with 10 cows owned by him. On 14.01.2025 by morning 6 o clock, the defact complainant came to know that his 5 cows were not there on the place and the defacto complainant found that one Loganathan was buying and selling with these type of theft cows. The defacto complainant came to know that the accused person had sold his cows on the alleged occurence day to him. Hence, the complaint.



CrI.O.P.No.14670 of 2025

WEB COPY

3. The learned counsel appearing for the petitioners submitted that the petitioners are an innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that submitted that the petitioners had stolen the cows from the defacto complainant's house and sold the same to one Loganathan. Therefore, he opposed for granting anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners voluntarily submitted that the petitioners, in order to show their bonafide, are

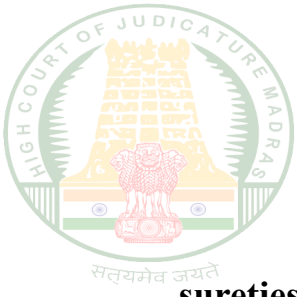


CrI.O.P.No.14670 of 2025

ready and willing to deposit a sum of **Rs.1,00,000/- to the credit of the Crime No.248 of 2025** without prejudice to their right in the above case.

6. Considering the nature of allegations and the submission that the petitioners are willing to deposit an amount of **Rs.1,00,000/- to the credit of Crime No.248 of 2025**, this Court is inclined to grant bail to the petitioners with certain conditions. Further, the defacto complainant is entitled to withdraw this amount, but with a condition to file an undertaking affidavit that the receipt of the amount is subject to the outcome of the case.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.100,000/- [Rupees One Lakh Only]** to the credit of **Crime No.248 of 2025** before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on anticipatory bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two



CrI.O.P.No.14670 of 2025

WEB COPY

sureties, each for a like sum to the satisfaction of the learned **Judicial**

Magistrate, Thirukoilur, Kallakurichi District,, failing which, the petition

for anticipatory bail shall stand dismissed and on further conditions 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 report before the respondent Police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



CrI.O.P.No.14670 of 2025

WEB COPY

[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.

13.06.2025

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6/8



CrI.O.P.No.14670 of 2025

WEB COPY

To:

1.The Judicial Magistrate, Thirukoilur, Kallakurichi District.

2.The Inspector of Police
Thirukoilur Police Station
Kallakurichi District
(Crime No.248 of 2025).

3.The Public Prosecutor,
High Court Madras.



WEB COPY



CrI.O.P.No.14670 of 2025

M.NIRMAL KUMAR, J.

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CrI.O.P.No.14670 of 2025

13.06.2025