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Crl.O.P.No.15324 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.05.2025**

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15324 of 2025

J.Sivashankar

... Petitioner

-VS-

State rep.
The Inspector of Police,
Aliyar Police Station,
Coimbatore District.
(Crime No.74 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner on
Anticipatory Bail in the event of his arrest in Crime No.74 of 2025 pending
investigation on the file of the respondent.

For Petitioner : Mr.M.N.Balakrishnan

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER



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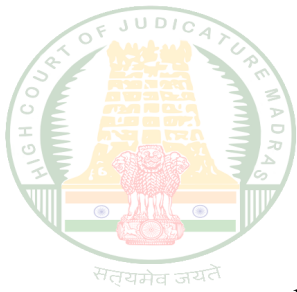
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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 336(3), 340(2), 318(4) of BNS Act 2023 in Crime No.74 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is an Insurance Agent, received money to pay Insurance for the defacto complainant's vehicle bearing Registration No. TN-41-BC-2216 on 25.11.2024 to the tune of Rs.8,000/- by way of Google Pay and Rs.13,000/- by way of cash, but he has not paid the Insurance for the vehicle. The said fact came to the knowledge of the complainant when the said vehicle met with an accident on 15.12.2024 and thereafter forged Insurance Policy was created and produced before the authorities. Hence this case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case for the reason to defame the name of the petitioner. He further submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case.

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the *learned Judicial Magistrate II, Pollachi*, 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 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 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 petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks;

[c] the petitioner shall not abscond either during investigation



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or trial;

[d] the petitioner shall not tamper with evidence or witness 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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

21.05.2025

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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 II,
Pollachi.

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2. The Inspector of Police,
Aliyar Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

N.SENTHILKUMAR,J

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