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Crl.O.P.No.15782 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15782 of 2025

D.Esakkimuthu

... Petitioner

Vs.

State rep by
The Inspector of Police,
Mangalam Police Station,
Tiruppur City

(Crime No.214 of 2025)

... Respondent

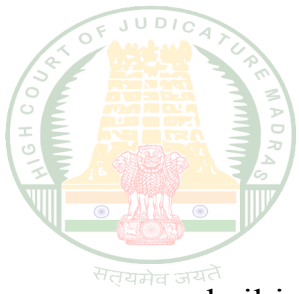
PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in Crime No.214 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Saravanan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory



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bail in Crime No.214 of 2025 registered for the offence under Section 331

(3) and 305 (a) of the BNS Act, 2023.

2.It is the case of the prosecution that the petitioner has broke open the defacto-complainant's house and committed theft of Television worth Rs.2000/- and a table fan worth Rs.2000. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4.Per contra, the learned Government Advocate (Criminal Side) reiterated the prosecution case and further submitted that petitioner has two previous cases. Hence, he opposed the grant of anticipatory bail to the petitioner.

5.Heard the learned counsel on either side and perused the materials available on record.



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

7.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 copy of this order, before the **Judicial Magistrate No.IV, Tiruppur**, on condition that the petitioner shall execute a bond for 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 said Magistrate, on further conditions 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 jurisdictional Magistrate from Monday to Friday at 10.30 a.m., and shall appear before the respondent police on Saturday and Sunday at 10.30 a.m., for two weeks;



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[c] the petitioner shall not abscond either during investigation 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*** reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.05.2025

ep/ata

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



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N.SENTHILKUMAR, J.

ep/ata

Copy to:

- 1.The Judicial Magistrate No.IV, Tiruppur.
- 2.The Inspector of Police,
Mangalam Police Station,
Tiruppur City.
- 3.The Public Prosecutor,
High Court of Madras.

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