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CrI.O.P.No.16223 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.16223 of 2025

1.Sagul Ameeth
2.Ayubkhan Shaban
3.Jakirusheelin

... Petitioners / A1 to A3

Vs.

The State Rep By,
The Inspector of Police,
Arani Town Police Station,
Tiruvannamalai.
Crime No.162 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.162 of 2025, on the file of the respondent police.

For Petitioners : Mr.M.Dinesh
For Respondent : Mr.A.Gopinath,
Government Advocate (Criminal Side)



CrI.O.P.No.16223 of 2025

ORDER

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The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 318(4) of the BNS [corresponding to Section 420 of IPC] on the file of the respondent police, in Crime No.162 of 2025 and therefore seek anticipatory bail.

2. The allegation against the petitioners is that the de-facto complainant came to know through a newspaper report that the petitioners had been arrested for indulging in the theft of gold jewellery. He then realised that they were the same persons who had stolen gold jewellery from him. On 12.11.2023, while he was waiting for a bus to travel from Arani to Chennai, the petitioners approached him and casually showed him six gold biscuits, claiming that they had been imported from a foreign country. They further told him that they were selling the biscuits at a price lower than the market value of gold. Believing their words, the de-facto complainant gave them his two-sovereign gold chain instead of money, in exchange for the six gold biscuits. Later, when he showed the biscuits to his acquaintances, he came to know that all the gold biscuits were fake and counterfeit. Hence, the complaint.



Crl.O.P.No.16223 of 2025

WEB COPY

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution's case and submitted that the complainant himself has a criminal history. Hence, he opposed the grant of anticipatory bail.

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

6. Considering the facts and circumstances and there is delay in lodging complaint and case is registered in the year 2025, this Court is inclined to grant anticipatory bail to the petitioners, subject to 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 ten days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Arani**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned,



CrI.O.P.No.16223 of 2025

and on further condition that:

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[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;



Crl.O.P.No.16223 of 2025

WEB COPY

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

14.10.2025

nvi

To

1.The Judicial Magistrate, Arani.

2.The Inspector of Police,
Arani Town Police Station,
Tiruvannamalai

3.The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.16223 of 2025

K.RAJASEKAR, J.,

nvi

CrI.O.P.No.16223 of 2025

14.10.2025