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CRL OP No. 17057 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17057 of 2025

R. Devendra Babu

Petitioner

Vs

The State rep by

The Inspector of Police

H-3 Tondiarpet Police Station.

Crime No.339 of 2025.

Respondent

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on Anticipatory bail in the event of the Crime No.339 of 2025 on the file of the respondent police.

For Petitioner: Mr.R Nagaraj

For Respondent: Mr.R.Vinothraja
Government Advocate (Crl.Side)



ORDER

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 304(2) of BNS Act, 2023, in Crime No.339 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 23.04.2025, at about 05.00 a.m, the petitioner along with other accused snatched the cell-phone from the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that only on confession of co-accused, the petitioner has been arrayed as an accused. He would further submit that the petitioner is a law abiding citizen and ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, submitted that the petitioner is involved in a serious offence arising from a violent dispute, necessitating custodial interrogation. He would further submit that mobile phone was not recovered from the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the nature of allegation; that he is sought to be implicated as the confession of co-accused; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **XV Metropolitan**



Magistrate Court, George Town, Chennai on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**

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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 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,

everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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



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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

17-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State rep by The Inspector of Police
H-3 Tondiarpet Police Station.
Crime No.339 of 2025.
2. The XV Metropolitan Magistrate
Court, George Town, Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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M.NIRMAL KUMAR J.

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