



Crl.O.P.No.20428 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20428 of 2025

S.Jeevaraj

.. Petitioner/A1

Vs.

The State Rep by,
The Inspector of Police,
T4 Maduravoyal Police Station,
Chennai.
(Crime No.372 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.372 of 2025 on the file of the respondent.

For Petitioner : Mr.C.S.Dhanasekaran
for Mr.R.Sathyanarayan Davay

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 306 of BNS in Crime No.372 of 2025, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submits that the petitioner is the hub in charge of Instacart, which is a distributor of Flipkart Home Appliances. 15 TVs and one vacuum cleaner were delivered to the Maduravoyal hub. At the time of delivery, CCTV had been switched off. It was later found that the petitioner, along with A2 and A3, had switched off the CCTV and decamped with the goods. The total value of the goods is Rs.3,66,373/-. The petitioner's defence is that one Palaniraj was in charge of the hub. The petitioner is innocent, has not committed any offence, as alleged by the prosecution, and has been falsely implicated in this case. He would further submit that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.



3. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioner reiterated the prosecution.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate-II, Poonamallee**, 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further



condition that:

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[a] the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.372 of 2025 within a period of two weeks, and on such deposit, the Trial Court is directed to re-deposit the same in the interest bearing account.

[b] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[c] 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;

[d] the petitioner shall report before the respondent Police for a period of two weeks and thereafter, as and when required for further interrogation;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall make himself available for interrogation by a Police office as and when required;



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[g] the petitioner 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;

[h] the petitioner shall not abscond either during investigation or trial;

[i] 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];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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M.NIRMAL KUMAR, J.

cda

To

- 1.The Judicial Magistrate-II, Poonamallee.
- 2.The Inspector of Police,
T4 Maduravoyal Police Station,
Chennai.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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