



CrI.O.P.No.17564 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17564 of 2025

Mallika

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
Vadavanakkambadi Police Station,
Tiruvannamalai District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.58 of 2025 pending investigation on the respondent Police.

For Petitioner	:	Mr.D.Devendran
For Respondent	:	Mr.V.Meganathan, Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 303(2) BNS @ 303(2) and 49 of BNS in Crime No.58 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner was harvesting watermelon in the land of one Arulmozhi and that on 17.04.2025, after harvesting watermelon, when the defacto complainant had gone to the field to remove the drip irrigation pipes, the pipes were stolen by someone. Hence, the complaint.

3.The learned counsel for petitioner submits that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police reiterates the prosecution case and submits that during enquiry, it came to light that the petitioner along with two others had stolen the drip irrigation pipes and that the pipes are now recovered from A2.

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



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vandavasi 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 said Magistrate, on further condition that:

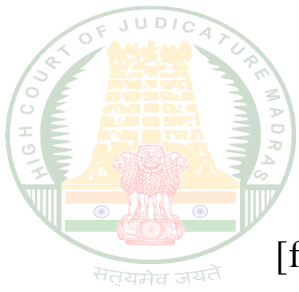
[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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 the identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

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



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[f] 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, she shall comply to the directions as may be given by the Court in this regard;

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

[h] 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 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)AIR SCW 5560];

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

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To

- 1.The Judicial Magistrate,
Vandavasi.
- 2.The Inspector of Police,
Vadavanakkambadi Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
Madras High Court.

M.NIRMAL KUMAR, J.



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