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CRL OP No. 17799 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17799 of 2025

Mani @ Manikandan

Petitioner

Vs

State represented by, Inspector of Police,
Dharapuram Police Station, Thirupur.
Cr.No.317/2022.

Respondent

PRAYER Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on bail in the event of their arrest in C.C No.212 of 2023 pending trail on the file of the judicial magistrate Dharapuram.

For Petitioner: Mr.Balaji T

For Respondent: M/s. R. Vinoth Raja Ga (crl.
Side)



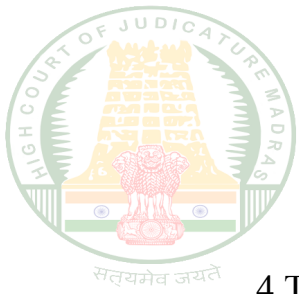
ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 392, 34 of IPC in Crime No.317 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Jayasudha is that while she was travelling in her two wheeler bearing Registration No.TN 33 AX 9668, two unknown persons, who had come in a two wheeler, had snatched 5 sovereigns of gold jewels from her. Based on her complaint, a case in Crime No.317 of 2022 came to be registered for the offence under Section 392, 34 of IPC. Hence the case.

3. The learned counsel for the petitioner is innocent; that he has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation, hence, he prayed for grant of anticipatory bail.

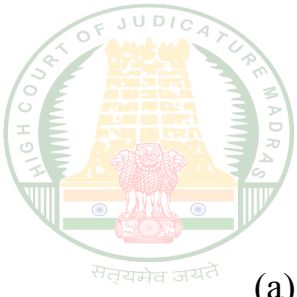


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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally three accused involved in this case and the petitioner is arrayed as A2. He submitted that co-accused already released on bail. He further submitted that the investigation has been completed and also Charge sheet is filed and the same is taken on file in C.C.No.212 of 2023 on the file of the learned Judicial Magistrate Court, Dharapuram.

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

6. Considering the submissions made on either side; nature of allegation; that the co-accused already arrested and released on bail and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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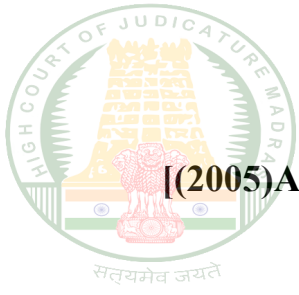
(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Dharapuram** on condition that the petitioner shall execute a bond for 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the trial Court on all hearing dates without fail;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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**



[(2005)AIR SCW 5560];

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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- 1.State represented by, Inspector of Police,
Dharapuram Police Station, Thirupur.
Cr.No.317/2022.
- 2.The Judicial Magistrate, Dharapuram.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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