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CRL OP No. 17809 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. 17809 of 2025

1.EZHILARASAN
2. MANIKANDAN

Petitioners

Vs

The State Rep By, The Sub-Inspector Of Police
Orathur Police Station, Cuddalore District (Crime
No.43/2025.

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on anticipatory bail in the event of Petitioner's arrest pending investigation in Crime No. 43 of 2025 on the file of respondent police.

For Petitioners: Mr.Silambarasan Ramalingam

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



ORDER

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The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS in Crime No.43 of 2025, on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that the petitioner has stolen the defacto complainant's goat. Hence, the case.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners without prejudice to their defence are ready and willing to deposit a sum of Rs.5,000/- each to the credit of Crime Number.43 of 2025. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the

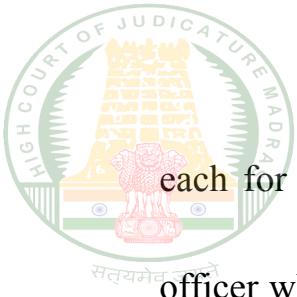


respondent reiterated the prosecution case and on instructions submitted that the co-accused has been arrested and also released on bail.

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

6. Considering the nature of dispute; that the co-accused has been granted bail and the fact that the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate-2, Chidambaram**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only), each with two sureties,



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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:

[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 petitioners shall **deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of Crime No.43 of 2025 before the *learned Judicial Magistrate No.2, Chidambaram and on such deposit, defacto complainant is permitted to withdraw the same on proper acknowledgment.***

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

[d] the petitioners shall not abscond either during



investigation or trial;

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[e] the petitioners shall not tamper with evidence or witness

either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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* reported in [(2005)AIR SCW 5560];

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

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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. The State Rep By,
The Sub-Inspector Of Police
Orathur Police Station, Cuddalore
District (Crime No.43/2025).

2. The Judicial Magistrate No.2,
Chidambaram.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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