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CRL OP No. 17887 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 17887 of 2025

Sivanantham

Petitioner(s)

Vs

State rep by

The Inspector of Police, Kullanchavadi

Police Station, Cuddalore District.

Crime No.144 of 2025

Respondent(s)

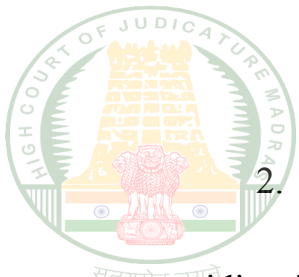
PRAYER: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Crime No.144 of 2025 (on the file of the respondent).

For Petitioner(s): Mr.S.Thirugnanam

For Respondent(s): Mr.S.Udhayakumar, GA
(Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 318(4), 336(2), 336(3), 340(2) and 49 of BNS in Crime No.144 of 2025 pending on the file of the respondent police.

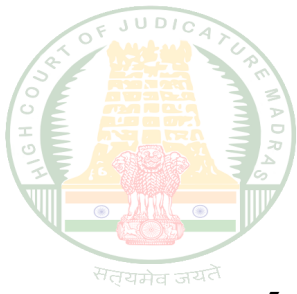


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2. The case of the prosecution is that petitioner, a Sri Lankan refugee residing in a refugee camp for the past 15 years, suppressed the fact of being a Sri Lankan citizen and obtained a driving license. The petitioner is alleged to have purchased a land in Kurinchipadi village by concealing his citizenship status. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the anticipatory bail to the petitioner, reiterated the prosecution's case and on instruction submitted that the investigation in this case is pending and if the petitioner is granted anticipatory, there is a possibilities of tampering the witnesses and hampering the investigation.



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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and that the custodial interrogation of the petitioner in this case is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 days from the date of receipt of a copy of this order, before the **learned District Munsif cum Judicial Magistrate at kurinchipadi** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 conditions that:



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[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 Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall appear 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;

[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, he 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;



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[h] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

19-09-2025

Gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.

2. The District Munsif-cum-Judicial
Magistrate at Kurinchipadi.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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