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Crl.O.P.No.18921 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM

**THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.18921 of 2025

Balu @ Balakrishnan

... Petitioner

Vs.

The State rep. by  
Sub-Inspector of Police,  
Cheyyar Police Station,  
Thiruvannamalai District  
Crime No.303 of 2025

... Respondent

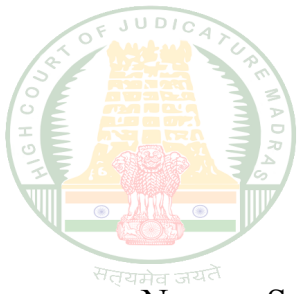
**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on Anticipatory bail in  
the event of their arrest in Crime No.303 of 2025 on the file of the respondent  
police.

For petitioner : Mr. A Anbharasu

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

**ORDER**

The petitioner, who apprehend arrest at the hands of the respondent  
police for the offences punishable under Section 303(2), 326(a) of Bharathiya



CrI.O.P.No.18921 of 2025

Nayaya Sanhita (BNS) (which can be compared to sections 378 & 430 of Indian penal code) in Crime No.303 of 2025, on the file of the respondent police, seek anticipatory bail.

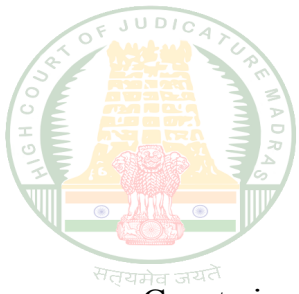
2. The case of the prosecution is that the petitioner had stolen the grill of two windows of the petitioner's locked house premises. Hence, the case was filed against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he have been falsely implicated in this case. The petitioner is ready to abide any conditions that may be imposed by this Court. Hence, the learned counsel prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner had stolen the grill of two windows of the petitioner's locked house premises. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. 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.

6. Considering the facts and circumstances of the case, submissions made by the learned counsel appearing on either sides, nature of allegation, this



Crl.O.P.No.18921 of 2025

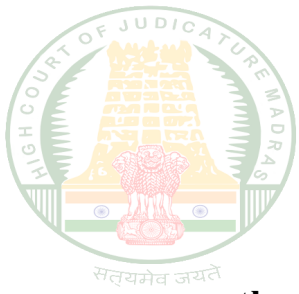
Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before **the learned Judicial Magistrate, Cheyyar** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** 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:

[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 identify proofs to ensure their identity;

[c] **the petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of two weeks and**



Crl.O.P.No.18921 of 2025

WEB COPY

**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 themselves available for interrogation by a Police office 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;

[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 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];

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

**30.07.2025**

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Crl.O.P.No.18921 of 2025

WEB COPY

To

1. The Judicial Magistrate,  
Cheyyar.
2. The Sub-Inspector of Police,  
Cheyyar Police Station,  
Thiruvannamalai District
3. The Public Prosecutor,  
High Court of Madras.



WEB COPY



Crl.O.P.No.18921 of 2025

**M.NIRMAL KUMAR, J.**

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**Crl.O.P.No.18921 of 2025**

**30.07.2025**