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Crl.O.P.No.19441 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.19441 of 2025

Adiboyina Bramhiah

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
CBCID - HQRS Police Station,
Chennai.
(Crime No.2 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in the event of arrest in P.R.C.No.31 of 2013 on the file of the learned Judicial Magistrate-II, Ponneri, Tiruvallur District.

For Petitioner(s) : Mr. Santhoshkumar Ravi

For Respondent(s) : Mr. S. Udayakumar
Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police in connection with Non-Bailable Warrant issued on 14.11.2024 in C.C.No.2309 of 2024 on the file of the learned XI Metropolitan Magistrate, Saidapet, for the offences punishable under Sections 35, 35B TN Forest Act, 1882 U/s.9 of TN Timber Transit Rule, 1968 and U/s.109, 379 of IPC, 1860, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were involved in smuggling of 160 numbers Red Sanders logs; that upon investigation, it is revealed that the petitioner was involved in the said offence and arrayed as A4; that thereafter the petitioner not appeared for enquiry even after serving of summons, subsequently the respondent police filed final report against the petitioner by citing him as absconding accused and the same was taken on cognizance in C.C.No.2309 of 2024; that since the petitioner not appeared before the Trial Court, a NBW was issued against the petitioner on 14.11.2024. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that



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the petitioner was falsely implicated in this case and he was not aware about the pendency of criminal case against him; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the petitioner is arrayed as A4 and absconding charge sheet was filed against the petitioner and hence, NBW was issued against the petitioner.

5. Considering the facts and circumstances of this case, submissions made on both sides and taking note of the fact that the case is of the year 2022 and NBW against the petitioner is based on absconding charge sheet, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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



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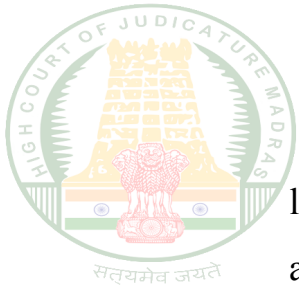
from the date on which the order copy made ready, before the **learned XI Metropolitan Magistrate, Saidapet** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** **with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, 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 report before the Trial Court concerned daily at 10.30 a.m., for a period of two weeks and thereafter, the petitioner shall appear on all hearing dates without fail;**

[d] 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



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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]**;

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

07.10.2025

stn

To

1. The XI Metropolitan Magistrate,
Saidapet.
2. The Inspector of Police,
CBCID - HQRS Police Station,
Chennai.
(Crime No.2 of 2022)
3. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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