



Crl.O.P.No.19653 of 2025

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WEB COM **M.NIRMAL KUMAR,J.**

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that this Court on 23.07.2025 has granted anticipatory bail to the petitioner in Crl.O.P.No.19653 of 2025, however, in the cause title of the order dated 23.07.2025, the Station of the respondent police has been wrongly mentioned as **Vaniyambodi Police Station** instead of **Vaniyambodi Taluk Police Station** and the same need to be modified. Hence, he prayed for suitable directions.

3. Registry is directed to carry out the necessary correction and issue order copy afresh.

01.08.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19653 of 2025

1. Ajith

2. Poovarasana

3. Mohan

4. Thirupathi

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Vaniyambodi Police Station
Tirupattur District.
(Crime No.247 of 2025)

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Crime No.247 of 2025 on the file of respondent Police.

For Petitioners : Mr.A.Ajay

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences under Sections 303(2) and 326(a) of BNS, in Crime No.247 of 2025, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution is that the accused had committed theft of three units of gravel sand. Hence the case.

3. The contention of the learned counsel appearing for the petitioners is that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners, to show their bonafide, without prejudice to their contentions, are ready to deposit a sum a considerable amount to the credit of any charitable organization. Hence, he prays for the grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting anticipatory bail to the petitioners.

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

6. Considering the submission made by the learned counsel appearing on both sides, the nature of the allegations and taking note of the voluntary



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undertaking given by petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to certain 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 on which the order copy made ready, before the learned **Judicial Magistrate No.I, Tirupattur**, on condition that petitioners shall execute separate bond each 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] The petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** (Non refundable) each to the credit of "Madras Advocate Cooperative Society Limited, Madras, in Account No.484022647, Indian Bank, Madras High Court Branch, Madras", and shall produce the bank challan and the proof of payment before the learned Magistrate concerned at the time of executing the sureties;

[b] if the petitioners fails to surrender before the



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said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[c] 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;

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

[e] the petitioners shall not abscond either during investigation or trial and they shall make themselves available for interrogation by a Police Officer as and when required;

[f] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[g] the petitioners 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;



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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 petitioners in accordance with law as if the aforementioned 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 [(2005)13 SCC 283]**;

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

23.07.2025

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To

1. The Judicial Magistrate No.I, Tirupattur.
2. The Inspector of Police,
Vaniyambodi Police Station
Tirupattur District.
3. The Public Prosecutor,
High Court of Madras.



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