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Crl.O.P.No.19587 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19587 of 2025

1.Mohamed Farooq

2.K.Kalaiyaran

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
B-1, North Beach Police Station,
Chennai.

Crime No.201 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in connection with Crime No.201 of 2025 on the file of respondent Police.

For Petitioners : Mr.Praveen Kumar P

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 309 (5), 310 (2) BNS Act, in Crime No.201 of 2025, on the file of the respondent Police, seek anticipatory bail.



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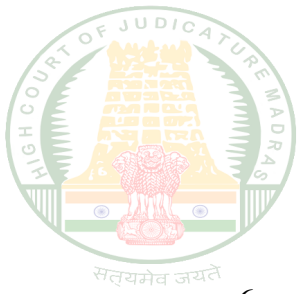
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2.The case of the prosecution is that, when the defacto-complainant was going to visit his friend namely Mohammed Ibrahim, some unknown persons tried to rob his bag. Hence the case.

3.The learned counsel appearing for the petitioners submits that the petitioners had not committed any offence as alleged by the prosecution and had been falsely implicated in this case. Hence, prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) reiterated the prosecution and submitted that petitioners were tried to rob the defacto-complainant's bag. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by the learned counsel appearing on either sides and the nature of offence and since, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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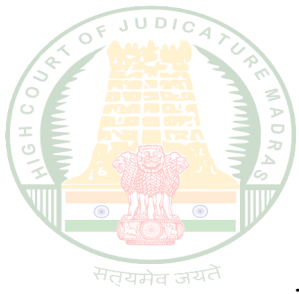
6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **VII Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each 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] if the petitioners 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 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 for interrogation;**

[d] the petitioners shall not abscond either during



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investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] 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;;

[f] 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;

[g] The petitioners shall not interfere with the property of the defacto complainant and to that effect an undertaking shall also be filed by the petitioner;

[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.



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To

- 1.VII Metropolitan Magistrate,
George Town, Chennai.
- 2.The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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