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Crl.O.P.No.19875 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19875 of 2025

Manikandan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thuraipakkam Police Station,
Chengalpattu District.

Crime No.206 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
arrest in connection with Crime No.206 of 2025 on the file of respondent Police.

For Petitioner : Mr.Logesh A

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police
for the offences punishable under Section **331 (4), 305 of BNS Act, 2023**, in
Crime No.206 of 2025, on the file of the respondent Police, seeks anticipatory
bail.



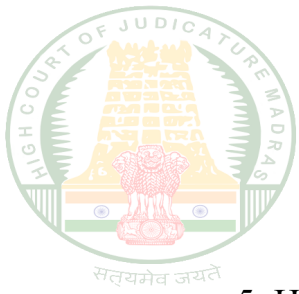
CrI.O.P.No.19875 of 2025

WEB COPY

2.The case of the prosecution is that, under the instigation of this petitioner, the other accused had trespassed into the defacto-complainant's house by breaking open the door, stolen 7 3/4 sovereigns of gold jewels from the jewellery box. Thereby, First Information Report has been registered in Cr.No.206 of 2025.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an Advocate and he had got bail to the co-accused and conducting case in the lower court. He further submitted that he is ready to appear before the respondent Police and co-operate with the investigation and disclose the facts known to him. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that A1 in this case had categorically stated that he had given the entire jewels to the petitioner for safe custody and later to share among themselves. The entire jewels are with the petitioner. Therefore, the custodial interrogation of the petitioner is very much required. Hence, strongly opposed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.19875 of 2025

WEB COPY

5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsel appearing on either sides, and since, custodial interrogation of the petitioner is not required, this 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 No.II, Alandur**, on condition that the petitioner shall execute a bond 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;



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Crl.O.P.No.19875 of 2025

[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;

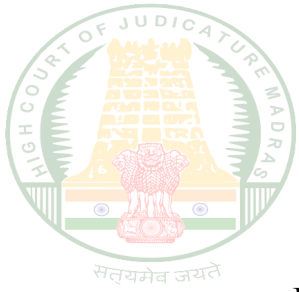
[c] the petitioner shall report before the respondent police on daily at 10.30 a.m for a period of three weeks; thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner 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 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] 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



Crl.O.P.No.19875 of 2025

WEB COPY

P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

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

01.08.2025

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To

1.The Judicial Magistrate No.2
Alandur.

2.The Inspector of Police,
Thuraipakkam Police Station,
Chengalpattu District.

3. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.19875 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.19875 of 2025

01.08.2025