



Crl.O.P.No.23372 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23372 of 2025

M.Ashokkumar

... Petitioner

Vs.

The State represented by,
The Sub Inspector of Police,
Vellavedu Police Station,
Avadi City, Thiruvallur.
(Crime No.172 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner herein in the event of his arrest in Crime No.172 of 2025 on the file of the respondent police.

For Petitioner : Mr.Tamilselvan.A

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.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**, in Crime No.172 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is wanted in



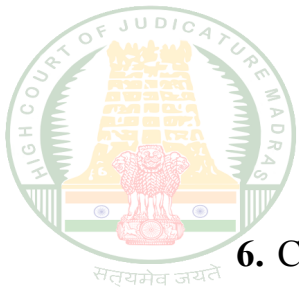
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connection the theft of 200 kgs of copper wire from the premises of the de-facto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner states that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and opposed for grant of bail to the petitioner. He further submitted that five accused persons went in a car and committed theft of 200 kgs of copper wire from the premises of the de-facto complainant. While four of the accused have been arrested, the present petitioner is still absconding. Out of the 200 kgs of copper wire, 100 kgs have been recovered, and the car used for committing the offence has been seized. The remaining 100 kgs of copper wire could not be recovered, as the arrested accused persons have stated that they sold it in the market for a sum of Rs.1,60,000/-.

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



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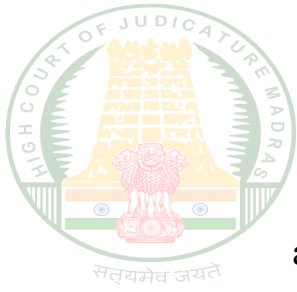
6. Considering the facts and circumstances of the case, since a part of the stolen property and money has not been recovered and the petitioner is absconding, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.75,000/- [Rupees Seventy Five Thousand Only]** to the credit of Crime No.172 of 2025 before the trial Court **on or before 05.09.2025**, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate No.II, Poonamallee** on condition that the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] 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;

[b] **the petitioner shall report before the respondent police daily at 10.30a.m., until further orders;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass



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

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

25.08.2025

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To

- 1.The Judicial Magistrate-II, Poonamallee.
Vellore District.
- 2.The Sub Inspector of Police,
Vellavedu Police Station,
Avadi City, Thiruvallur
- 3.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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