



Crl.O.P.No.23464 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23464 of 2025

Ganesh

... Petitioner/Accused

Vs.

The State represented by,
The Sub-Inspector of Police,
Virinjipuram Police Station,
Vellore, Vellore District.
Crime No.165 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent Police in Crime No.165 of 2024 on the file of respondent police.

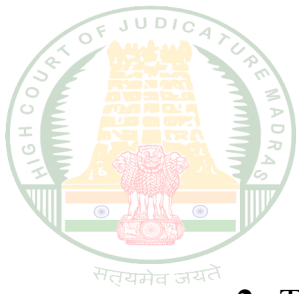
For Petitioner : Mr.M.R.Thangavel

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 304 of Bharatiya Nyaya Sanhita, 2023, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that, on 27.07.2025 at about 05.00p.m., while the de-facto complainant and his wife were returning home from their relative's house on a bike, the petitioner, along with the co-accused, in order to commit theft, forcibly snatched the de-facto complainant's Redmi mobile phone from his possession. Hence, the case.

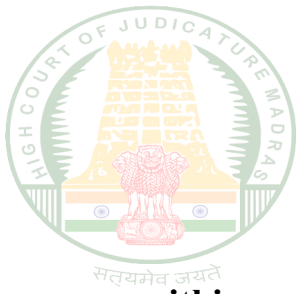
3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Public Prosecutor (Crl. Side) submitted that, there are no previous antecedents against the petitioner and that the mobile phone has been recovered. However, he opposed the grant of anticipatory bail to the petitioner.

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

6. Considering the stage of the investigation, 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 before the learned **Judicial Magistrate No.IV, Vellore, Vellore District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each



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within a period of 10 days from the date of receipt of a copy of this order 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 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]**;

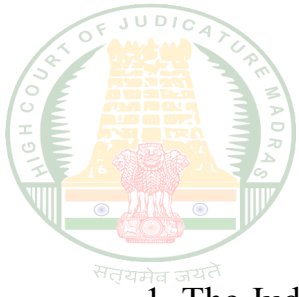
[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

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1. The Judicial Magistrate No.IV, Vellore, Vellore District.

2. The Sub-Inspector of Police,
Virinjipuram Police Station,
Vellore, Vellore District.

3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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