



Crl.O.P.No.23938 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23938 of 2025

1.P.Sivaji
2.S.Sivakumar
3.Sasikumar

... Petitioners

Vs.

The State rep by,
The Inspector of Police,
Kambainallur Police Station
Dharmapuri District.
(Crime No.21 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.21 of 2025, on the file of the Inspector of Police, Kambainallur Police Station, Dharmapuri District.

For Petitioners : Mr.R.Parthiban

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **303(2) and 62 of BNS, in Crime No.21 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. This petition is for anticipatory bail in Crime No.21 of 2025. On the complaint given by the landlord alleging that the gravel sand stored in his land has been stolen by the petitioners.

3. The learned counsel appearing for the petitioners states that the defacto complainant and the accused persons are neighbours and the complaint is falsely given.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioners, reiterated the prosecution case.

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



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6. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions;

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 12.09.2025** before the learned **Judicial Magistrate Court, Karimangalam, Dharmapuri District**, on condition that the petitioner 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 learned Magistrate concerned and on further condition that:

[a] **the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.21 of 2025 on the file of the Judicial Magistrate Court, Karimangalam, Dharmapuri District, on or before 12.09.2025;**

[b] **if the petitioners fail to surrender before the concerned Magistrate on or before 12.09.2025, 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,**



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2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

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

[e] 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];**

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

01.09.2025

dna



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To

1.The Judicial Magistrate Court, Karimangalam,
Dharmapuri District.

2.The Inspector of Police,
Kambainallur Police Station
Dharmapuri District.
(Crime No.21 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
dna

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