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CRL OP No. 24730 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24730 of 2025

1. R.Yasinmusarap

Petitioner(s)

Vs

1. State rep. by, The Inspector of Police,
Madathukulam Police Station, Tiruppur
District. (Crime No.159 of 2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 438 of Cr.P.C / Section 482 of BNSS Act, to enlarge the Petitioner on bail in the event of his arrest by the Respondent Police pending investigation in Crime No.159 of 2025 on the file of the Respondent.

For Petitioner(s): M N Balakrishnan

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



ORDER

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The petitioner, who apprehends arrest for the alleged offences under Sections 331(3), 331(4), 305(a) of BNS Act 2023, in Crime No.159 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant namely Balananthini who is Noon Meal Scheme Organizer, Govt.Middle School, Krishnapuram, Madathukulam had lodged a complaint on 21.08.2025 at 15.30 hours before the respondent stating that on the date of occurrence in the morning 6.30 a.m., she came to school along with Cook Manjula and they found four number of Gas Cylinders and provisions worth about Rs.9,000/- were missing from the school premises and they came to know that the above said materials was stolen by unknown persons. Hence, the case.

3. The learned counsel appearing for petitioner submitted that he has been falsely implicated in this case, he is innocent, he is no way connected with the offence and he has not committed any of offence as alleged by the respondent



police. He would also submit that he will abide by any condition that may be imposed by this court. Hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police, strongly opposed the anticipatory bail petition and submitted that the petitioner along with other accused have stolen four gas cylinders and also the provisions worth Rs.9,000/-.

5. Considering the facts and circumstances of the case and that the petitioner on his own volition, is ready to deposit some amount to the credit of the crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees five Thousand only) to the credit of Crime No.159 of 2025, within a period of fifteen (15) days and on such deposit, the petitioner is ordered to be



released on bail in the event of arrest or on his appearance, before the learned

District Munsif-cum-Judicial Magistrate, *Madathukulam* 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 and on further condition that:

(a)the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees five Thousand only)** to the credit of Crime No.159 of 2025 before the concerned Magistrate within a period of fifteen (15) days and the de-facto complainant is permitted to withdraw the said deposit amount of Rs.5,000/- on proper identification and acknowledgment.

(b)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner is directed to appear before the respondent police every Saturday at 10.30 a.m for a period of eight weeks and thereafter as and when required for interrogation;



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(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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) AIR SCW 5560]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

gbi

12-09-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

Note : 1. Registry is directed to forthwith upload this order in the Official Website of this Court.

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Court will be watermarked and will also have a QR code.

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- 1.State rep. by, The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
- 2.The District Munsif-cum-Judicial
Magistrate, Madathukulam.
- 3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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