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Crl.OP.No.25301 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

**Crl.O.P.No.25301 of 2025**

1. Yuvaraj  
2.Thiyagaraj

... Petitioners

Vs.

State Rep by  
The Inspector of Police,  
Jolarpet Police Station  
Thirupathur District  
(Cr.No.232 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 their arrest in Cr.No.232 of 2025 on the file of the respondent police.

For Petitioners : Mr.K.Sathish Kumar

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

### **ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 461, 454 and 380 of IPC in Crime No. 232 of 2025, on the file of the respondent Police, seek



anticipatory bail.

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2. The allegation against these petitioners is that they are relatives of the defacto complainant and they entered into the house of the defacto complainant and taken away 5 ½ kg of gold jewels, 8 kilos of gold coin, 24 diamond stones, 10 kilos of silver articles, cash and other documents. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He submits that there is a property dispute between the petitioners and the defacto complainant which is now been given a criminal colour. He also submits that already a partition suit is pending between the petitioners and the defacto complainant. He further submits that they have not stolen any property since it is only a property belongs to the family which is shared amicably among themselves and it should not be termed as theft case. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and submitted that the alleged offence was taken place in the month of January 2024 but the FIR registered only on 28.07.2025 and the investigation in this case is going on. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, nature of allegations, submissions made by learned counsels on either side and also considering the fact that already a civil suit is pending between the parties and the fact that the alleged offence was taken place on 13.01.2024 but the FIR was registered only on 28.07.2025, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.1, Thirupattur, Thirupattur District**, on condition that the petitioners shall execute a separate 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 learned Magistrate concerned and on further condition that:

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(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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 petitioners shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;**

[d] 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]**;

[e] If the accused thereafter absconds, a fresh FIR



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can be registered under Section 269 of B.N.S.

16.09.2025

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To

- 1.The Judicial Magistrate No.1, Thirupattur, Thirupattur District,
2. The Inspector of Police,  
Jolarpet Police Station  
Thirupathur District
3. The Public Prosecutor,  
High Court of Madras.

**K.RAJASEKAR, J.**

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