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Crl.OP.No.25628 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25628 of 2025

Sakthivel

... Petitioner

Vs.

State rep by
The Inspector of Police,
Attur Town Police Station,
Attur, Salem.
(Cr.No.286 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of their arrest in connection with Cr.No.286 of 2025 on the file respondent police.

For Petitioner : Mr.N.Thamizhanban

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

ORDER

The petitioner herein, apprehends arrest at the hands of the respondent for the alleged offence under Section 305(a) of BNS Act, 2023 in Crime No.286 of 2025, seeks anticipatory bail.



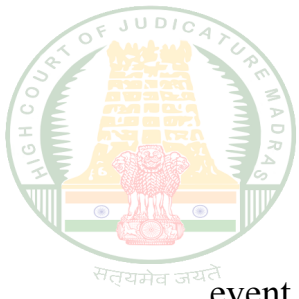
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2. The case of the prosecution is that the petitioner along with other accused had stolen 63 kgs of copper wire from the BSNL tower situated at Gangavalli. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that this petitioner accommodated A1 and A2 to steal the copper wire and the stolen copper wire has been recovered by the respondent police and there are no previous cases pending as against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and though it is stated that huge quantity of copper wire has been taken away and the same has been recovered, after the arrest of A1 and A2, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate – I, Attur**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, 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 petitioner shall report before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as when required for the interrogation;



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CrI.OP.No.25628 of 2025

[d] 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]**;

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

18.09.2025

smv

To

- 1.The Inspector of Police,
Attur Town Police Station,
Attur, Salem.
- 2.Judicial Magistrate – I, Attur.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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