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Crl.OP.No.25801 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25801 of 2025

1. M.Parthasaradhi
2. Kiritti

... Petitioners

Vs.

The State Rep by
Inspector of Police,
Mangadu Police Station,
Chennai.
(Cr.No.491 of 2025)

... Respondent

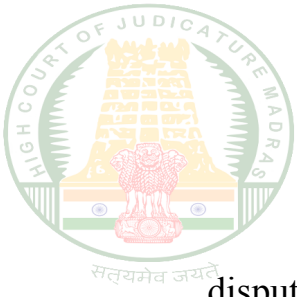
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Crime No.491 of 2025 pending on the file of the respondent police.

For Petitioners : Mr.Sathish Rajan

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under Section 316(4) of BNS, 2023 in Crime No.491 of 2025, on the file of the respondent police seek anticipatory bail.

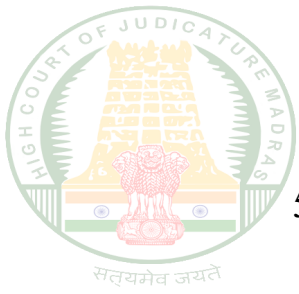


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2. The allegation against the petitioners is that based on the business dispute between the parties, these petitioners have taken away the Tea worth about Rs.11,00,000/- from the defacto complainant's company. When the defacto complainant questioned the Sales Manager who is A1, he was replied that these petitioners have taken away on their own. Subsequently, it was revealed that A1 to A3 were colluded and has taken away the tea bags. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that it is true that these petitioners have taken away the tea worth about Rs.11,00,000/- , but that was based on the money supplied by them in the month of July and since the defacto complainant's company failed to deliver the products, the petitioners have taken away the same. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that totally three accused involved in this case and A1 is arrested and the petitioners herein were absconded and hence, they were not arrested. He further reported that the investigation is still pending. Hence, he opposed to grant anticipatory bail to the petitioners.



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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, and the submissions made by both counsel, and taking note of the fact that the transaction is relating to payment of money and subsequently these petitioners have taken away the tea worth about Rs.11,00,000/- and in this regard, the custodial interrogation of the petitioners is not required, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions. .

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate, Sriperumpudur** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(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 identify proofs to ensure their identity;

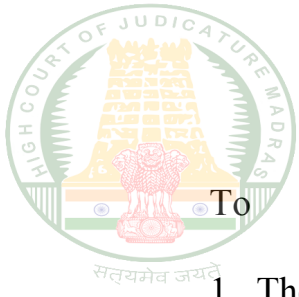
(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.09.2025

Vv



Crl.OP.No.25801 of 2022

To

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1. The Judicial Magistrate, Sriperumpudur
2. The Inspector of Police,
Mangadu Police Station,
Chennai
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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