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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.28635 of 2025

V.Sathish

... Petitioner

Versus

The State rep by its,
The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.
(Crime No.129 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.129 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Suresh

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

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Section 304(2) of BNSS, 2023 in Crime No.129 of 2025 seeks anticipatory bail.



2.The allegation against the petitioner is that the petitioner joining hands with other accused committed theft from the defacto complainant. It is alleged that while the defacto complainant was sitting in his shop, the petitioner came in a two wheeler and asked for the mobile phone of the defacto complainant, when he refused, the other accused forcibly took a sum of Rs.17,735/- from the shirt pocket of the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the FIR was registered in the month of May 2025 and he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case against him and so far no money was recovered from the petitioner and that the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that without prejudice the petitioner is prepared to deposit a sum of Rs.6,000/- to the credit of Crime Number and hence he prays for grant of anticipatory



bail to the petitioner.

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6. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

7. Considering the submissions made on both sides and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.6,000/- to the credit of crime number and that the petitioner has no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioner is directed to deposit a sum of Rs.6,000/- (Rupees Six Thousand only) to the credit of Crime Number 129 of 2025 and on such deposit and on receipt of proof of payment, 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 II Metropolitan Magistrate Court, Egmore, Chennai*** 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



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

(b) the petitioner 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;

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

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

(e) 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 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;

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

27.10.2025

drl

To

1.The II Metropolitan Magistrate,
Egmore, Chennai.

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2. The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

K.RAJASEKAR, J.

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