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CRL OP No. 26718 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 26718 of 2025

1. Gowthm R

S/o.Ramesh T, No.114 1st Main Road,
Sri Iyyapa Nagar, Virugambakkam
Chennai - 600 092.

Petitioner(s)

Vs

1. State represented by

The Inspector of Police, Jolarpet Police
Station, Thirupathur District.

Respondent(s)

PRAYER

To grant anticipatory bail to the Petitioner (Accused 9) in the event of his arrest in Crime No.232 of 2025 on the tile of Jolarpet Police Station, Thirupathur District, subject to such terms and conditions as this Honble Court

For Petitioner(s): Mg Abdul Jaleel
 S.Dinesh
 V.Pradeep
 K.Shahul Hameed



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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 448, 461, 454 and 380 of IPC in Crime No.232 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that he is relative of the defacto complainant and he 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 petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that there is a property dispute between the petitioner and the defacto complainant which is now been given a criminal colour. He also submits that already a partition suit is pending between the petitiioenr and the defacto complainant. He



further submits that he has not stolen any property since it is only a property belongs to the family which is shared amicably among themselves and it should

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not be termed as theft case. He also submits that the co-accused have granted anticipatory bail by this Court in Crl.O.P.No.25301 of 2025 dated 16.09.2025.

Hence, he prays to 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 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 to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, nature of the 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



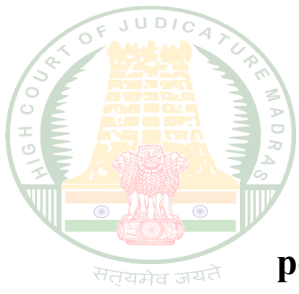
the petitioner with certain conditions.

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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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Thirupattur, Thirupattur District**, 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, and on further condition:

(a) If the petitioner 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;

(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;



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(c) **The petitioner shall report before the respondent police for Saturdays 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 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 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.

26-09-2025

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. Judicial Magistrate-I, Thirupattur, Thirupattur District.

2. State represented by

The Inspector of Police, Jolarpet Police Station, Thirupathur District.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
mpa

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