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Crl.O.P.No.27246 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.27246 of 2025

1. Nataraj @ Natarajan, M/ 51 years,
S/o Muniyan

2. Pushpa, F/ 50 years,
W/o Nataraj @ Natarajan

... Petitioners

Vs.

The State Rep. by
The Inspector of Police
Marandahalli Police Station,
Dharmapuri District.
(Crime No.11/2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of arrest in Crime No.11 of 2025 on the file of the respondent Police.

For Petitioners : Mr.M.R.Elavarasan

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 305(a) of B.N.S. 2023 in Crime No.11 of 2025, on the file of the respondent police, seek anticipatory



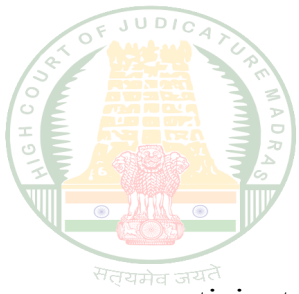
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bail.
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2.The case of the prosecution is that, when the de-facto complainant was out of station on 28.12.2024, some persons broke open the lock of the house gate of the defacto complainant and took 14 sovereigns of gold, worth about Rs.7,00,000/-. According to the prosecution, the de-facto complainant suspected the petitioners, since they asked money from the de-facto complainant and the same was refused by her.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case;. He further submitted that only on suspicion, the de-fact complainant made a complaint against the petitioners and they have not committed any offence as alleged by the prosecution. He also submitted that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of



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anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with 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 days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Palacode**, on condition that each of 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate/Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a]the petitioners and the sureties shall affix their



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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 petitioners shall report before the learned Judicial Magistrate, Palacode everyday at 10.30 a.m., until further orders.

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners 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 petitioners in accordance with law as if the 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)AIR SCW 5560].

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



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Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. *All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.*

To

1.The Judicial Magistrate, Palacode

2.The Inspector of Police
Marandahalli Police Station
Dharmapuri District

3.The Public Prosecutor
High Court of Madras



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N.SENTHILKUMAR, J.
SMN

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