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Crl.O.P.No.29595 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29595 of 2025

Hatim

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Vellore South Crime,
Vellore District.
Crime No.26 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.26 of 2024 on the file of the respondent police.

For Petitioner : Mr.D.Dayalan

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 331(4), 305(a) of the Bharatiya Nyaya Sanhita, 2023, [under Sections 448 and 380 of IPC] in



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Crime No.26 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the complainant, Branch Manager of Federal Bank, Arani Road, Vellore, stated that one Vasanthamma, Proprietor of M/s.Sridhar Offset and Printers, availed a loan of Rs.13,00,000/- on 11.03.2010 and thereafter defaulted in repayment. The bank initiated proceedings and took possession of the property through Court auction. Subsequently, on 09.10.2024, the complainant came to know that certain unknown persons had trespassed into the said property and committed theft of household articles worth about Rs.1,00,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner has no previous case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of anticipatory bail, reiterating the prosecution case and submitted that there are totally three accused involved in this case, and the petitioner is ranked as A3. He further submitted that the



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property was recovered and the investigation in this case is still pending.

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5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side, taking into fact that the petitioner has no bad antecedents, property has already been recovered and custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Vellore**, 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 that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall



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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 for a period of two weeks, and thereafter as and when required for interrogation;

[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.

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To

- 1.The Judicial Magistrate No.I, Vellore.
- 2.The Inspector of Police,
Vellore South Crime,
Vellore District.
- 3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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