



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29952 of 2025

Pannerselvam

... Petitioner

Vs.

State Rep. by
Inspector of Police,
Ponnur Police Station,
Tiruvannamalai.
Crime No.75 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita Act, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.75 of 2025 on the file of the respondent police.

For Petitioner : Mr.Mukesh Kannah
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.side)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 327(2), 305(a), 351(2) of BNS Act, 2023 in Crime No.75 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner along with other accused broke open the house of the defacto complainant and committed theft of 7 1/2 soverigns of gold jewelleries. Hence the case.

3. The learned Counsel for the petitioner would submit the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the defacto complainant is none other than the brother of the petitioner. Further, the alleged occurrence is said to have taken place on 05.12.2024 whereas, the complaint has been lodged in the month of september 2025 and that the delay has not been considered. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that there is no previous case pending against the petitioner and the investigation has not been completed. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. I have also gone through the records, its reveals that the defacto complainant has awaited some period since the petitioner is his brother. However, since the petitioner has not come forward to settle the issue, the



complaint has been lodged and also the fact that there is no previous case pending against the petitioner, considering the relationship between parties, 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, Vandavasi**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 stand automatically cancelled;

[b] the sureties shall affix his 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;



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[c] the petitioner shall report before the respondent police daily 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 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.

kmm

11.11.2025



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To

1. The Inspector of Police,
Ponnur Police Station,
Tiruvannamalai.
2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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