



WEB COPY

Crl.O.P.No.31715



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31715 of 2025

Arshath @ Ashath

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
P-2 Otteri Police Station,
Chennai District.
(Crime No.674 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.674 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl. Side)



ORDER

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 126(2), 296(b), 309(6), 311 of BNS Act, in Crime No.674 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against this petitioner is that, this petitioner joining hands with other accused robbed the cell phone of the defacto complainant. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the present case is foisted case and on the same day the petitioner was arrested in connection with Crime No.320 of 2025 on the file of Pulianthope Police Station and the respondent is not taken any steps to arrest in this case and the petitioner was granted bail on 10.10.2025. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally 2 accused in this case and cell phone is not recovered. Hence, she opposed to grant anticipatory bail to the petitioner.



5. Considering the facts and circumstances of this case, the petitioner herein is arrested in connection with Crime No.320 of 2025 and the respondent has not taken any steps to arrest the petitioner in this case and the petitioner is released on bail in connected case on 10.10.2025, and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 of receipt of a copy of this order before the *learned X Metropolitan Magistrate Court, Egmore*, 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:

(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 daily at 10.30 a.m., for the period of two weeks and thereafter as and when requires 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.

20.11.2025

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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 the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The X Metropolitan Magistrate Court, Egmore.
- 2.The Inspector of Police,
P-2 Otteri Police Station,
Chennai District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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