



Crl.O.P.No.32040 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.32040 of 2025

S. Madan Kumar

... Petitioner/ Accused

Vs

The State Rep. By,
The Inspector of Police,
T2- Chrompet Police Station,
Sanatorium, Chennai.
(Crime No.254 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.254 of 2025 on the file of the respondent police.

For Petitioner : Mr. H. Mohamed Musthafa

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



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 329(3), 329(4), 332(c), 331(1), 324(2), 324(3) and 351(3) of BNS in Crime No.254 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner herein is that, the petitioner had defaulted the loan borrowed from the Bank of Baroda, therefore for recovery of the loan arrears, the bank has initiated SARFAESI proceeding by taking physical possession of the Collateral House property of petitioner's wife situated at Thiruneermalai Village, Tambaram and sealed the property; that whileso, the petitioner broke open the seal fixed in the said property. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case; that the petitioner herein is an aged person and now he is not in possession of the said property; and that the petitioner is ready to abide by any conditions that



may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the petitioner has no previous antecedents; and that the investigation of this case is pending.

5. Considering the submissions made on both sides, facts and circumstances of this case, nature of allegation and since custodial interrogation of the petitioner is not necessary for the purpose of investigation, 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 days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Tambaram, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen**



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 fifteen days from the date of receipt of 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 the identity proofs to ensure their identity;

[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
WEB COPY be registered under Section 269 of B.N.S.

25.11.2025

stn

To

1. The Judicial Magistrate-I, Tambaram,
Chennai – 45.
2. The Inspector of Police,
T2- Chrompet Police Station,
Sanatorium, Chennai.
(Crime No.254 of 2025)
3. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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