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Crl.OP.No.34322 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34322 of 2025

A.James

... Petitioner

Vs.

The Inspector of Police,
R-9, Ramapuram Police Station,
Chennai-600 089.
(Cr.No.247 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of his arrest in connection with the case in Cr.No.247 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.V.Sridharan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Section 305(a) of BNS in Cr.No.247 of 2025, on the file of the respondent police. seeks anticipatory bail.



2. The allegation against the petitioner is that he is the cousin brother of the defacto complainant herein. On the date of occurrence, he came to her house and taken away the gold jewels weighing 86 grams from the defacto complainant's house, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready and willing to cooperate with the investigation and, therefore, prayed for the grant of anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor submitted that the petitioner herein is a cousin brother and the aforesaid gold jewels were gifted by the petitioner to the defacto complainant. Suddenly, he had gone to the defacto complainant's house, threatened her and taken away the jewels. Hence, he vehemently opposed to grant anticipatory bail to the petitioner. s

5. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioner.



6. Heard both sides and perused the materials available on record.

7. A perusal of FIR reveals that though properties were not recovered, the allegations levelled in the FIR revealed that originally, the gold jewels were handed over to the defacto complainant by the petitioner herein and thereafter forcibly, he had taken away the same.

8. Taking all the factors into consideration and the submissions made by both counsel and there is no previous antecedent, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-I, Poonamalle** 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police daily at 10.30a.m., for a period of three weeks and there after as and when required for interrogation;

(d) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) The petitioner shall not abscond either during investigation or trial:

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16.12.2025

Vv



CrI.OP.No.34322 of 20__

To

1. The **Judicial Magistrate-I, Poonamalle**

2. The Inspector of Police,
R-9, Ramapuram Police Station,
Chennai-600 089.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

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