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Crl.O.P.No.35507 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35507 of 2025

Kirthi Balaji

... Petitioner

Vs

State Rep. by
The Inspector of Police
B4-Ukkadam Police Station,
Coimbatore District.
(Crime No.273/2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest in Crime No.273 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr. W.Camyles Gandhi

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

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 304(2) BNS, in connection with Cr.No.273 of 2025, seeks anticipatory bail.



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The case of the prosecution is that while the Defacto Complainant was waiting for the Bus to his native on 24.06.2025, two unknown persons snatched her mobile phone worth about Rs.20,000/-. Hence, a case was registered in Cr.No.273/2025 for the alleged offences under Section 304(2) BNS.

3 The learned counsel for the petitioner would submit that FIR was registered against unknown persons. The name of the petitioner do not find place in the FIR, however he has been falsely implicated as accused in the case. Hence, he seeks anticipatory bail.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there is three previous cases pending as against the petitioner and property was recovered and investigation is pending. Hence, he opposed to grant bail to the petitioner.

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



6 Considering the nature of the offence and the fact that the property was also recovered, though previous cases are pending, in all the cases already bail was granted to him, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.V, Coimbatore**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent-police daily at 10.30 a.m., for 30 days.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.



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[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

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To

1. The Inspector of Police, B4-Ukkadam Police Station, Coimbatore District.
2. The Judicial Magistrate No.V, Coimbatore.
3. The Public Prosecutor, Madras High Court.



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P.DHANABAL, J.,

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