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CrI.O.P.No.35656 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

CrI.O.P.No.35656 of 2025

1.Bharathkumar
2.S.Yadhavan

... Petitioners / A1 & A2

Vs

State Rep. by
The Inspector of Police
Adiyamankottai Police Station
Dharmapuri District.
(Crime No.333/2025)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 438 Cr.P.C., / Section 482 of B.N.S.S. praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.333 of 2025 on the file of the respondent police and thus render justice.

For Petitioners : Mr.K.Balakrishnan

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

ORDER

The petitioners / A1 & A2, who apprehend arrest in the hands of the respondent police for the offences punishable under Section 331(3), 331(4),



305(a) of Bharatiya Nyaya Sanhita Act in connection with the Cr.No.333 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that the Head Master of Government Higher Secondary School, Komathampatti, had lodged a complaint before the respondent police about the theft of computer accessories belonging to the school. Hence, the case in Crime No.333 of 2025 on the file of respondent-Police came to be registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in the case. The learned counsel further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioners herein are arrayed as A1 and A2 in the alleged crime. So far as A1 is concerned, three previous cases are pending and insofar as A2 is concerned, two previous cases are pending. The entire theft property was recovered. He reiterated the prosecution case and



opposed to grant anticipatory bail to the petitioners.

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5. Heard the learned counsel and also the learned Government Advocate and also perused the materials available on record.

6. Considering the nature of offence, the fact that the property allegedly stolen by the accused were recovered during the investigation of another case pending against them and that the petitioner is ready to abide by the conditions imposed by the Court, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions;

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate Court No.II, Dharmapuri**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent-police daily at 10.30 a.m., until further orders;

[b] the petitioners shall not, directly or indirectly, make any inducement,



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threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

ds/dn

Note :

- 1. Registry is directed to forthwith upload this order in the official website of this Court.*
- 2. All concerned shall act on this order being uploaded in the official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.*

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To:

1. The Judicial Magistrate Court No.II
Dharmapuri
- 2.The Inspector of Police
Adiyamankottai Police Station
Dharmapuri District.
- 3.The Public Prosecutor
High Court, Madras.



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P.DHANABAL, J.,

ds/dn

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