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CrI.O.P.No.35642 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.35642 of 2025

Raja @ Sottaiyan Raja

... Petitioners / A5

Vs

The State, Rep. by
Inspector of Police
Kitchipalayam Police Station
Crime No.257 of 2025.

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S., 2023 praying to enlarge the petitioner on bail in the event of his arrest pending investigation in Kitchipalayam PS Crime No.257 of 2025 on the file of the respondent police and pass orders.

For Petitioner : Mr.B.Stephen Raj

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

ORDER

The petitioner / Accused No.5 who apprehend arrests in the hands of the respondent police for the offences punishable under Section 126(2), 127(2), 296(b), 310(2), 311, 351(3) of of BNS Act, in connection with Cr.No.257 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner, at knife point had snatched a sum of Rs.5,000/- from the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that he is no way connected with the crime and he has been falsely implicated in the case. The learned counsel further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police supported the prosecution case and submitted that the co-accused A1 to A4 and A6, who were arrested, were already released. The said amount that has been robbed from the defacto complaint was returned. The learned Government Advocate on instructions submitted that there is no previous case pending as against the petitioner. However, he reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and also the learned Government Advocate



and also perused the materials available on record.

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6. Considering the nature of offence, the money involved and that the amount has been recovered, and that there is no previous case pending as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain 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.II, Salem**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 on every Saturday at 10.30 a.m., for a period of four weeks.

[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;



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[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].

[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:

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



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P.DHANABAL, J.,

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