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CRL OP No. 36004 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 36004 of 2025

1.Sugumar
2.S.Easwaran
4.P.Saran Kumar

Petitioners

Vs

The Sub Inspector of Police,
Mecheri Police Station,
Salem District.
(Cr.No.741 of 2025).

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of their arrest in Crime No.741 of 2025 on the file of the respondent police.

For Petitioners: Mr.A.Nirmal Kumar

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

ORDER

The petitioners/accused, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 318(3),



316(4), 306 r/w Section 61(2) of BNS Act, 2023, in connection with Crime No.741 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that one Saravanan/A1 is working as an active bulk cooler agent at Hutsun Argo Products Limited Company. He is regularly stealing around 200 liters of milk from the active bulk cooler, and in order to adjust for the stolen milk, he is also adulterating the milk by adding water, with the assistance of the driver of lorries supplying the milk, the petitioners herein, and other route boys whose duty is to check the quality of the milk. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are only route boys and they have nothing to do with the alleged offences. He further submitted that in order to strengthen the case against A1, the petitioners were implicated in this case. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and opposed for the grant of anticipatory bail to the petitioners. He further submitted that A1 is the



prime accused in this case and no previous case is pending against the petitioners.

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

6. Considering the nature of the offences and the fact that the petitioners herein are not the prime accused and as per FIR, one Saravanan/A1 only directly participated in the crime, and also the fact that no previous case is pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners subject to the following 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 learned **Judicial Magistrate No.2, Mettur, Salem District**, on condition that the petitioners shall execute a separate 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety



bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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.

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Index: Yes/No
Internet: Yes/No
Speaking/Non-speaking order
sp



Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate No.2,
Mettur, Salem District.

2.The Sub Inspector of Police,
Mecheri Police Station,
Salem District.

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.

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