



CRL OP(MD). No.3008 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/03/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Chellapandi,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Aravakurichi Police Station,
Karur District.
(Crime No. 25 of 2025).

... Respondent/Complainant

For Petitioner : Mr.S.T.Sasidharan Tamilkani,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 25 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 14.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

<https://www.mhc.tn.gov.in/judis>



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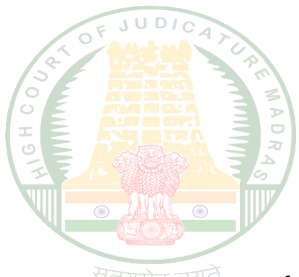
2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.25 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is working as a Manager at SSM Blue Metals. On 10.01.2025, the defacto complainant and all other employees went to their native places for Pongal festival. Thereafter, on 20.01.2025, when the Company was reopened, the defacto complainant checked all the vehicles. At that time, he found that two batteries had been stolen by an unknown person from a Volvo Boline Machine vehicle. Subsequently, the defacto complainant lodged a complaint before the respondent-Police and the same was registered as Crime No. 25 of 2025. After conducting an inquiry, the respondent-Police suspected that the petitioner had committed the theft in the said company. Hence the case.

4. Mr.S.T.Sasidharan Tamilkani, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side)

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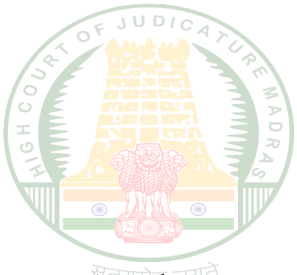
appearing for the respondent-Police, submits that there is one previous case pending against the petitioner, which involves POCSO offences. He further submits that two batteries have been recovered by the respondent-Police from the co-accused. However, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same and also considering the fact that the property has been recovered from the co-accused and that the petitioner has one previous case, and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties, each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required;

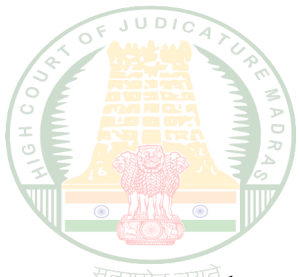
(V) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vi) The petitioner shall not leave India without the previous permission of the Court;

(vii) The petitioner shall furnish his residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District;

(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders



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against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
04.03.2025

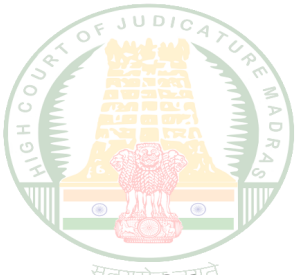
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/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1.The District Munsif cum Judicial Magistrate,
Aravakurichi, Karur District.
- 2.Do through the Chief Judicial Magistrate,
Karur District.
- 3.The Inspector of Police,
Aravakurichi Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-2383[I] dated 04/03/2025)

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Date : 04/03/2025

SL(19.03.2025)/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.