



CRL OP(MD). No.4327 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 11/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4327 of 2025

1. Sridharan @ Kodali Sridharan  
2. Arunkumar

... Petitioners/ A17 and A18

Vs

The State of Tamilnadu,  
Rep by the Inspector of Police,  
Masarpatti Police Station,  
Masarpatti,  
Thoothukudi District.  
Crime No.97 of 2010.

... Respondent/ Complainant

For Petitioners : Mr. R.Sakthivel  
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-38AB. For Anticipatory Bail in Crime no.97 of 2010 on the file of the Respondent-  
Police.

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



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 05.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / Accused Nos.17 and 18 apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 392, 395 r/w. 109 of IPC in Crime No.97 of 2010 on the file of the respondent-police.

3. The case for the prosecution is that the petitioners along with other accused persons criminally conspired them and committed the dacoity of gold . Hence, the case.

4. Mr.R.Sakthivel, the learned counsel for the petitioners , submits that the petitioners are innocent persons and they have been falsely implicated in this case. However, he submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners .

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally 19 accused persons in this case and the petitioners herein have been arrayed as Accused Nos.17



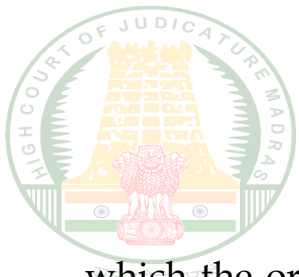
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and 18<sup>th</sup> and 80% of the jewels were recovered. He further submits that the investigation in this case has already been completed, and the charge sheet was also filed before the learned Judicial Magistrate, Vilathikulam in PRC.No.49 of 2023 on the file of and the learned Judicial Magistrate issued summons to the petitioners. He further submits that at this stage if pre-arrest bail is granted to the petitioners, they may abscond and delay the trial proceedings. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioners and the fact that the occurrence took place in the year 2010, this Court is of the opinion that custodial interrogation of the petitioners is not necessary in this case. Further, the petitioners have permanent residence and therefore, there is less possibility of absconding. Considering the same, and also considering the facts and circumstances of the case and taking note of the fact that 80% of the jewels have been recovered, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Vilathikulam, Thoothukudi District within a period of 15 days from the date on



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which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Vilathikulam, Thoothukudi.

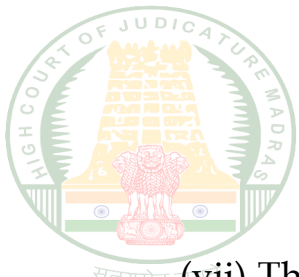
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Vilathikulam, Thoothukudi, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioners shall appear and sign before the learned Judicial Magistrate, Vilathikulam, Thoothukudi, weekly twice ie., on every Monday and Friday at 10.30 am until further orders.

(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(v) The petitioners 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 petitioners shall not leave India without the previous permission of the Court.



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work place.

(vii) The petitioners shall not enter into the defacto complainant's house or her

(viii) The petitioners shall furnish their residential address and mobile numbers to the learned learned Judicial Magistrate, Vilathikulam, Thoothukudi.

(ix) The petitioners shall not directly or indirectly cause threat to the defacto complainant and the witnesses and tamper with the evidence.

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Vilathikulam, Thoothukudi or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them 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/-  
11/03/2025

/ TRUE COPY /

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



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TO  
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1 THE JUDICIAL MAGISTRATE,  
VILATHIKULAM,  
THOOTHUKUDI

2 DO-THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE  
MASARPATTI POLICE STATION,  
MASARPATTI,  
THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SAKTHIVEL, Advocate ( SR-2673[I] dated 12/03/2025 )

ORDER  
IN  
CRL OP(MD) No.4327 of 2025  
Date :11/03/2025

HPS/SAR / 28.03.2025/6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
17/07/2023.