



CRL OP(MD). No.4406 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4406 of 2025

Chellapandi,
S/o. Muthusaram,
3/396-B, North Street,
Mannadimangalam, Vadipatti Taluk,
Madurai District.

... Petitioner/ Accused rank not known

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Aravakurichi Police Station,
Karur District.
(Crime No. 38 of 2025).

... Respondent/ Complainant

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

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 38 of 2025 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 :-

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This Criminal Original Petition has been filed by the petitioner on 06.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Accused (Rank not known) apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.38 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 PVK Company. On 11.01.2025, 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 10 batteries and 300 litres of diesel had been stolen by an unknown person from the lorries. Subsequently, the defacto complainant lodged a complaint before the respondent-Police and the same was registered as Crime No. 38 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 learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He however submits that the petitioner is



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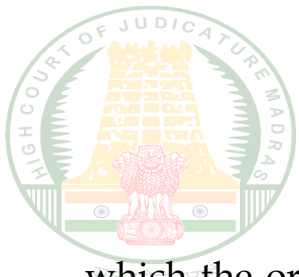
ready to abide by any conditions to be imposed by this Court, and co-operate with the investigation. He further submits that the name of the petitioner was not mentioned in the First Information Report. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal side) appearing for the respondent-Police, submits that ten batteries and the amount of Rs.26,000/- have been recovered by the respondent-Police from the accused. Accordingly, 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 already ten batteries and Rs.26,000/- were recovered from the accused persons by the respondent-Police. Hence hereafter, the custodial interrogation of the petitioner may not necessary and with a view to give an 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



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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 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;

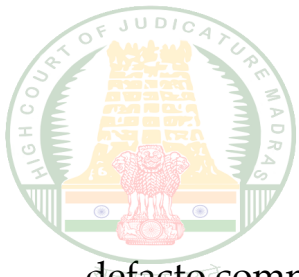
(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders;

(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 not, directly or indirectly, cause any threat to the



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defacto complainant and witnesses and shall not tamper with the evidence;

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

(ix) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur District or Trial Court, as the case may be, is entitled to pass appropriate orders 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/-
14/03/2025

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

tsg
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ARAVAKURICHI, KARUR DISTRICT.

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



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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.

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-2898[I] dated
17/03/2025)

ORDER

IN

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Date :14/03/2025

HPS/SAR / 26.03.2025/6P/6C

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