



CRL OP(MD). No.5894 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5894 of 2025

Sridhar Esakki

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Kallidaikurichi Police Station,
Kallidaikurichi,
Tirunelveli District.
(Crime No. 98 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.N.Vignesh,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023
PRAYER :-

For Anticipatory Bail in Crime No. 98 of 2025 on the file of the respondent-
Police.



CRL OP(MD). No.5894 of 2025

WEB COPY

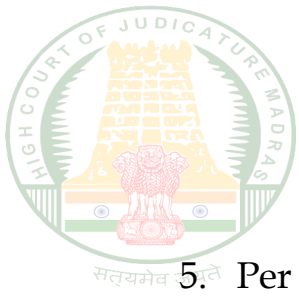
ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 27.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused No.5 apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.98 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 19.02.2025, at about 1.39 a.m., the accused persons stolen the CCTV camera put up in the community hall and tea shop of the defacto complainant, worth abOut Rs.30,000/-. Hence, the case

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



CRL OP(MD). No.5894 of 2025

WEB COPY

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the property has been recovered from the accused persons. He further submits that if pre-arrest bail is granted to the petitioner, he may commit the similar offence once again. Hence, he vehemently opposes to grant pre-arrest bail to the petitioner.

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

7. Considering the facts and circumstances of the case, this Court is of the view that since the stolen property has been recovered from the accused person, custodial interrogation of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding, 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 bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Ambasamudram, 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



CRL OP(MD). No.5894 of 2025

WEB COPY

two sureties, each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Ambasamudram;

(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, Ambasamudram 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 weekly twice (i.e., on Monday and Friday) at 10.00 a.m., until further orders;

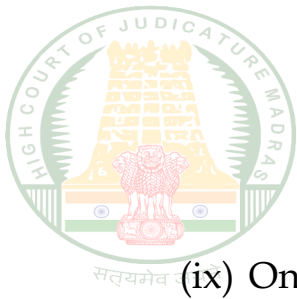
(iv) The petitioner shall make himself available for interrogation by a police officer as and when required;

(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 Judicial Magistrate, Ambasamudram;

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



CRL OP(MD). No.5894 of 2025

WEB COPY

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Ambasamudram or Trial Judge, 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 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/-
29/04/2025

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

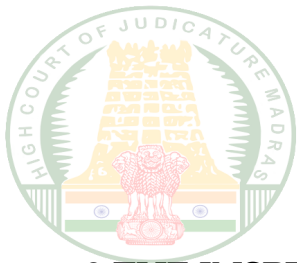
TSG

TO

1.THE JUDICIAL MAGISTRATE, AMBASAMUDRAM.

2. DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



CRL OP(MD). No.5894 of 2025

3.THE INSPECTOR OF POLICE,
KALLIDAIKURICHI POLICE STATION,
KALLIDAIKURICHI,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.N.VIGNESH, Advocate (SR-5275[I] dated 30/04/2025)

ORDER
IN
CRL OP(MD) No.5894 of 2025
Date :29/04/2025

VN /28.05.2025 6P/6C

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