



CRL.O.P.(MD)No.8922 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.05.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL.O.P.(MD)No.8922 of 2025

Harisri

... Petitioner / Accused No.2

Vs.

State of Tamil Nadu rep. By,
The Inspector of Police,
Thottiyam police station,
Thottiyam,
Trichy District.
(Crime No.140 of 2024).

... Respondents

Prayer: Criminal original petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.140 of 2024 on the file of the respondent police.

For Petitioner : Mr.T.Vadivelan

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

* * *

ORDER

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 457 and 380 IPC in Crime No.140 of



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2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that it is a case of theft of gold jewellery. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner will never abscond and will not tamper the witnesses and also ready to abide by any condition imposed by this Court and hence, he seeks to grant bail to the petitioner.

4. The learned Government Advocate (Crl side) would submit that 5 soveriegn of gold jewellery has been recovered from A1. There are totally two accused and A1 was arrested and released on bail. Investigation is still pending.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the property was already recovered and the co-accused was released on bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thottiyam on



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condition that the petitioner shall execute a 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

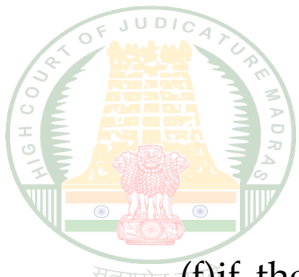
(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily twice at 10.30 a.m and 5.30 pm., until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]; and;



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(f)if the accused/petitioner thereafter absconds, a fresh FIR can be registered
under Section 269 BNS.

sd/-
21/05/2025

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

PMU
TO

1 THE JUDICIAL MAGISTRATE,
THOTTIYAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION,
THOTTIYAM,
TRICHY DISTRICT.

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

+1 CC to M/s.M.SILAMBARASAN, Advocate (SR-5650[I] dated 22/05/2025)



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ORDER
IN
CRL OP(MD) No.8922 of 2025
Date :21/05/2025

SA/SAR. /29.05.2025/5P/6C

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