

CRL OP(MD). No.11005 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11005 of 2025

Saravanan,
S/o.Neelamegam

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
(Crime No.262 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.Mahendrarajan B.,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.262 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 331(4) and 305 of BNS, 2023 in Crime No.262 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is engaged in the business of manufacturing iron rods. On 16.08.2024, nearly 500 kgs of iron rods, worth Rs.35,000/-, were stolen by the accused. Thereafter, the 1st accused was arrested, and based on his confession, the petitioner and other accused were implicated in this case. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, and has not committed any offence as alleged by the prosecution. He has been arrayed as an accused in this case solely based on the confession the 1st accused. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.



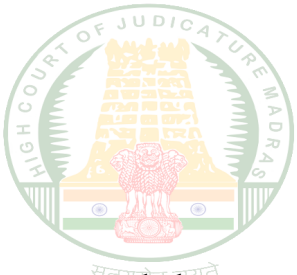
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4. The learned Government Advocate (Crl. side) submits that there are totally two accused persons in this case and the petitioner has been arrayed as A2. A1 was arrested and subsequently released on bail on 27.06.2025 by the learned District Munsif cum Judicial Magistrate, Viralimalai in Crl.M.P.No.243 of 2025. He submitted that there are three previous cases of a similar nature registered against the petitioner. He further submitted that the entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that the co-accused was arrested and subsequently released on bail, and that the entire properties have already been recovered, and that as the date of registration of FIR is 16.08.2024, by this time most of the investigation might have been completed, and that there are no previous cases registered against the petitioner, 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, Viralimalai,



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Pudukottai District, on 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 Judicial Magistrate, Viralimalai, Pudukottai District, 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;

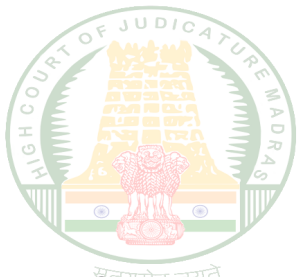
(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Viralimalai, Pudukottai District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Viralimalai, Pudukottai District;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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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;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-

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

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TO

1.The Judicial Magistrate,
Viralimalai, Pudukottai District.

2. Do Through: The Chief Judicial Magistrate,
Viralimalai, Pudukottai District.

3.The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.11005 of 2025

Date : 07/07/2025

KM (24.07.2025)/6P/5C

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