



CRL OP(MD). No.12315 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12315 of 2025

Karuppasamy,
S/o.Subbiah

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
(Crime No.367 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate

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

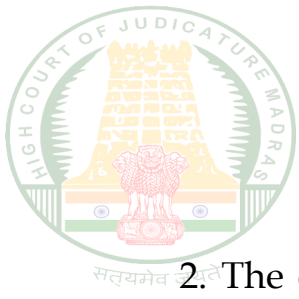
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.367 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 317(2) of BNS, 2023 in Crime No.367 of 2025 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.12315 of 2025

WEB COPY

2. The case of the prosecution is that the de-facto complainant is engaged in the transport business and owns a lorry bearing Registration No.TN-47-Q-4182, valued at approximately Rs.7 lakhs. On 15.06.2025, the de-facto complainant parked the lorry on a vacant plot near a petrol bunk. Thereafter, on 28.06.2025, at about 11.00 a.m., the de-facto complainant went to the said location and found that the lorry was missing. Upon reviewing the CCTV footage, it was revealed that the lorry had been stolen by the accused persons with the aid of a Hitachi excavator. Hence, a case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He has been falsely implicated in this case. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court and is ready to deposit a sum of Rs.2,00,000/- to show his bonafide. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that there are totally four accused persons in this case and the petitioner has been arrayed as A2. All other accused persons are still absconding. There are seven previous cases of a similar nature registered against the petitioner. He further submitted that the value of the lorry is Rs.7,00,000/-. Hence, he opposed to grant anticipatory bail to the



CRL OP(MD). No.12315 of 2025

petitioner.

WEB COPY

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 date of occurrence is 15.06.2025, but the FIR was registered only on 30.06.2025, and that by this time most of the investigation might have been completed, and also considering the bonafide expressed by the petitioner, this court is inclined to grant anticipatory bail to the petitioner, subject to 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 No.1, Tirunelveli, 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 No.1, Tirunelveli, 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 deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs



CRL OP(MD). No.12315 of 2025

only) to the credit of the Crime No.367 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate No.1, Tirunelveli, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner and learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.367 of 2025. The Trial Court shall decide the entitlement to the deposit amount at the time of passing the final order or judgment;

(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.1, Tirunelveli. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.1, Tirunelveli;

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

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

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

(g) 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



CRL OP(MD). No.12315 of 2025

WEB COPY

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;

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

sd/-
01/08/2025

/ TRUE COPY /

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

mkkn

TO

1.The Judicial Magistrate No.1, Tirunelveli.

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.

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

ORDER IN
CRL OP(MD) No.12315 of 2025
Date :01/08/2025

SBN/26.08.2025 5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023
<https://www.hmc.tn.gov.in/judis>