



CRL OP(MD). No.12428 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Vallarasu

2. Santhosh

... Petitioners/Accused Nos. 1 & 2

Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Sellur Police Station,
Madurai City, Madurai.
(Crime No.776 of 2025)

... Respondent/Complainant

For Petitioners : Dr.R.Alagumani

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

For Intervenor : Mr.A.Mohammed Arif

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.776 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 306 of BNS 2023, in Crime No.776 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The prosecution case is that the petitioners had stolen the diesel and sold for the past one and half years. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submitted that there is no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.



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5. The learned counsel for the Intervenor/defacto complainant submitted that the petitioners had stolen the diesel from the defacto complainant's diesel pump. Hence, he strongly opposed for grant of anticipatory bail to the petitioners

6. Taking into consideration of the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioners and if the petitioners are directed to deposit some amount to the credit of crime number, and the same would suffice to grant anticipatory bail to the petitioners, with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No-II, Madurai, on condition that each of the petitioner shall execute a separate 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.II,



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Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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) each of the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.776 of 2025 before the learned Judicial Magistrate No.II, Madurai. On such deposit, the learned Judicial Magistrate No.II, Madurai, shall accept the sureties furnished by the petitioners. After receipt of entire amount, learned Judicial Magistrate No.II, Madurai, 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.776 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.



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(c) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

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

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

(S S Y J)
11.11.2025

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To

1. The learned Judicial Magistrate No.II,
Madurai.
2. The Inspector of Police,
Sellur Police Station,
Madurai City, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD) No.12428 of 2025**

Date : 11.11.2025