



CRL OP(MD). No.13271 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13271 of 2025

Immanuvel,
S/o.Samuel Ganesh

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Crime No.366 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.K.Jackson Durai,
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.366 of 2023 on the file of the Respondent Police.



CRL OP(MD). No.13271 of 2025

WEB COPY

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 Section 379 of IPC in Crime No.366 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is a local jewellery retailer who used to sell gold and silver jewellery across Tamil Nadu. On 13.10.2023, at about 10.30 a.m., while the de-facto complainant came to Sivakasi for the sale of gold and silver and was travelling to Tenkasi, the suitcase containing gold and silver went missing from the car. Hence, a case was 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 falsely implicated in this case solely based on the confession of the 1st accused and the entire stolen properties have been recovered only from the 1st accused. He further submitted that A1 was arrested and subsequently released on bail. 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.



CRL OP(MD). No.13271 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A2 in this case. A1 was arrested and subsequently released on bail. He further submitted that the 2nd accused is the son of the 1st accused, and the entire properties have already been recovered from the 1st accused. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, 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 occurrence is 13.10.2023, by this time most of the investigation might have been completed, 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.I, Sivakasi, Virudhunagar 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



CRL OP(MD). No.13271 of 2025

WEB COPY

the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar 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 No.I, Sivakasi, Virudhunagar District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar 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 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



CRL OP(MD). No.13271 of 2025

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
WEB COPY
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/-
11/08/2025

/ TRUE COPY /

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

mkn

TO

1 The Judicial Magistrate No.I,
Sivakasi, Virudhunagar District.

2 Do Through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3 The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

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



CRL OP(MD). No.13271 of 2025

WEB COPY

+1 CC to M/s.J.YOGESWARAN, Advocate (SR-8780[I] dated 13/08/2025)

ORDER
IN
CRL OP(MD) No.13271 of 2025
Date :11/08/2025

AS/28.08.2025/6P/6C

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