



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 415 of 2026

K.Ashok Kumar

Petitioner

Vs

The State rep. by

The Inspector of Police
Bagayam Police Station

Vellore District-632 007

Crime No. 352 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No. 352 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Muralikrishnan

For Respondent : Ms.J.R.Archana

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 331(3), 305(a) of BNS 2023 in Crime No. 352 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that on 13.12.2025 at about 17.00 hours, the petitioner joined hands with other co-accused entered into the house of the de-facto complainant and taken away 7½ sovereigns of gold jewels worth about Rs.2,30,000/-. The petitioner is the husband of A1. In this regard, A1 and A2 were already arrested and still in custody. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is the husband of A1 and on the suspicion, he has been falsely implicated in this case as an accused. He also submitted that the property is also recovered. Hence, he prayed to grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the property has also been recovered from the petitioner and the petitioner is ranked as A3 in this case and A1 & A2 were already arrested and still in custody. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.



6. Considering the fact that the property has already been recovered in this case, and the petitioner is not having any previous cases, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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, Vellore**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** with two **sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fail to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



[c] the petitioner shall report before the respondent Police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

09.01.2026

MSM
To

1.The Inspector of Police
Bagayam Police Station
Vellore District-632 007
Crime No. 352 of 2025.

2. The Public Prosecutor,
High Court of Madras.



WEB COPY



K.RAJASEKAR, J.

MSM

CRL OP NO. 415 of 2026

09.01.2026