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Crl.O.P.No.2322 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.2322 of 2026

Sabarisan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Thadagam Police Station,
Coimbatore District.
(Crime No.42 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.42 of 2026 on the file of the respondent police.

For Petitioner : Mr.Camyles Gandhi W
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Section 303(2) of BNS in Crime No.42 of 2026** on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner herein was intercepted by the beat constable, while loading 3500 numbers of bricks illegally and on seeing the defacto complainant, he stopped the vehicle and ran away from the scene of occurrence. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous cases have been registered against the petitioner. Hence, she opposed to grant anticipatory bail to the petitioner.

5. Considering the facts as stated above and also considering the fact that the petitioner has not involved in any previous bad antecedents, and this case is an attempt to theft, I am 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Coimbatore**, 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 conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the

K.RAJASEKAR,J.



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conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

03.02.2026

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To:

1.The Judicial Magistrate-I, Coimbatore.

2.The Inspector of Police,
Thadagam Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court of Madras.

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