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CrI.O.P.No.3237 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

CrI.O.P.No.3237 of 2026

1.Yagakumar
2.Ramesh

... Petitioners / A3 & A4

Vs.

State Rep. by its:-
The Inspector of Police,
Adhiyamankotai Police Station,
Dharmapuri District.
(Crime No.333 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest pending investigation in Crime No.333 of 2025 on the file of the respondent police.

For Petitioners : Mr.P.M.Jayachandran
For Respondent : Ms.J.R.Archana,
Government Advocate (CrI.Side)

ORDER

The petitioners apprehend arrest for the alleged offence **under Sections 331(3), 331(4), 305(a) of BNS Act, 2023** in **Crime No.333 of 2025** on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the Head Master of Government



Higher Secondary School, Komathampatti, had lodged a complaint before the respondent police about the theft of computer accessories belonging to the school. Hence, the case has been registered.

3. The learned counsel for the petitioners submitted that the petitioner have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case based on the confession of co-accused A1 and A2. He further submitted that they are 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 petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners are arrayed as A3 and A4 in the alleged crime and that the property has been recovered. The learned counsel further submitted that the petitioners have involved in three previous cases of similar in nature. Hence, she opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case; the submissions made by the learned counsel on both sides; the nature of allegations levelled against them; and also the fact that the property allegedly stolen by the accused were recovered during the investigation of another case pending against them, this Court is inclined to grant anticipatory bail to the



petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-II, Dharmapuri**, on condition that **the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police, everyday at 10.30 a.m., until further orders;**

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(d) **The petitioners shall not leave India without the**



previous permission of the Court;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;

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

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To:

- 1.The Judicial Magistrate-II, Dharmapuri.
- 2.The Inspector of Police, Adhiyamankotai Police Station, Dharmapuri District.
- 3.The Public Prosecutor, High Court of Madras.

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