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CRL OP No. 4738 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4738 of 2026

Gurumoorthi
S/o.Kamaraj,
No. House bldg Apt 247
street Road lane,
Kamachikulam Keezhatheru,
Serangolam - 614016.

..Petitioner(s)

Vs

State rep by
The Inspector of Police,
M-5, Ennore Police Station,
Chennai.
Crime No.219/2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge on anticipatory bail in the event of the petitioner arrest by the respondent Police N-4 Fishing Harbour, Police Station (Crime No.219 of 2025) in the interest of justice and thus render justice.

For Petitioner(s): M/s.RAJ S

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 305 (a) of BNS Act in Crime No.219 of 2025, on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the defacto Complainant is running a transport business in the name of SSSB Transports, which is the authorised transporter of Daikin Air conditioners. On 09.02.2025, 160 Indoor and outdoor air conditioner units were transported in a container. When the container reached the destination, it was found that 90 indoor and outdoor Air conditioner units were missing. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner is ready to abide any conditions that may be imposed by this Court. Hence, the learned counsel prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that totally 8 accused in this case; the petitioner is ranked as A8 who is the lorry driver; and with his assistance 111 units of Air conditioners were stolen and during investigation 87 Air conditioner units were recovered and 3 units were used by Accused-2. Hence, opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused



the materials available on record.

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6. Considering the fact that all the units have been accounted and the petitioner is not having any previous case and one of the co-accused already granted anticipatory bail by this Court in Crl.O.P.No.18778 of 2025 dated 30.07.2025, 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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate Court, Thiruvottiur, Chennai**, 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:

(a) If the petitioners fails to surrender before the concerned 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 two 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 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 v. State of Kerala [(2005) AIR SCW 5560]*;

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

26-02-2026

MPA

To

1.The Judicial Magistrate Court, Thiruvottiyur, Chennai.

2.State rep by

The Inspector of Police,

M-5, Ennore Police Station,
Chennai.

Crime No.219/2025

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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