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CRL OP No. 4823 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. 4823 of 2026

1.Mani
S/o. Appchi,
8/115, Inthiranagar,
Jallipatti,
Udumalpet Taluk,
Tiruppur District.
2.Gowtham
S/o. Karnan,
8/223, Vetrivel Street,
Dhali Post,
Udumalpet,
Tiruppur District.

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District,
(Crime No.381/2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on Bail in the event of
arrest in Crime No.381/2025, on the file of the Respondent Police.

For Petitioner(s): Sujith G

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



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 329(3), 296(b), 351(3) r/w. 303(2) of BNS in Crime No. 381 of 2025, seek anticipatory bail.

2. The allegation against the petitioners is that A2 come forward to sell his Bolero Pickup vehicle to A1 and was awaiting receipt of the sale consideration. However A1, instead of handing over the money, handed over the vehicle to one Munusamy and requested him to pay the money, stating that Munusamy would in turn collect the money from the defacto complainant. However, Munusamy has not paid the money to either A1 or A2. Hence, A1 and A2 went to the place of the defacto complainant and taken away the vehicle; hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are ranked as A2 and A3 and they went to place of defacto complainant and taken away the property and now the property has been seized and is in the custody of the respondent. Therefore. he prays for grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the



respondent police reiterated the prosecution case and submitted that the property has been recovered and the investigation in this case is pending. Hence, she vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the allegations and the fact that the property has been recovered and though the investigation is pending, this Court is inclined to grant anticipatory bail to the petitioners with 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 made ready, before the **learned District Munsif Cum Judicial Magistrate, Pochampalli**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen 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;

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(c) The petitioners 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 District Munsif Cum Judicial Magistrate, Pochampalli.
2.The State Rep.by, The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District,
(Crime No.381/2025)

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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