



WEB COPY

CRL OP No. 7345 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7345 of 2026

Gowtham

..Petitioner

Vs

The State represented by
The Inspector of Police
E-2, Peelamedu Police Station
Coimbatore City
Coimbatore District.
Crime No. not known of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Crime No. not known of 2026 pending investigation on the file of Respondent police.

For Petitioner:

Mr.R.Thiyagu

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 304(2) and 351(3) of BNS Act, 2023 in Crime No.not known of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner, along with other accused persons committed theft of a mobile phone and cash. Hence, the present case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case without any basis. It is further submitted that the petitioner is a college-going student, currently studying in the first year at Hindusthan College of Arts and Science. While the prosecution alleges his involvement in the theft of a mobile phone and cash, the learned counsel further submitted that the petitioner was not at the scene of occurrence on the relevant date. Hence, he prayed for the grant of anticipatory bail to the petitioner

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that there is no previous case against the petitioner and co-accused A1- A4 has already been released on bail in C.M.P.No.2532 of 2026 dated 18.03.2026. However, he opposed the grant of bail to the Petitioners.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. Considering the submissions of the learned counsel for both sides, it is seen that the petitioner, along with other accused persons committed theft of a mobile phone and cash. Taking into account the nature of the allegations, the date of occurrence and the fact that other co-accused have already been granted anticipatory bail, custodial interrogation of the petitioner is not required at this length of time. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 is made ready, before the **learned Judicial Magistrate-II, 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 twice a day at 10.30 a.m. and 05.30 p.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 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.

24-03-2026

NSL

To

1. The Inspector of Police
E-2, Peelamedu Police Station
Coimbatore City
Coimbatore District.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate -II, Coimbatore.



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C.KUMARAPPAN, J.

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