



WEB COPY

CRL OP No. 7464 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. 7464 of 2026

Sivaprakash

..Petitioner(s)

Vs

The State rep by The Inspector of police,
Peerkkankaranai Police Station,
Tambaram City District.
(Crime No.94 of 2026)

..Respondent(s)

Prayer: Criminal Original Petitions filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest pending investigation in Crime No. 94 of 2026 on
the file of the respondent.

For Petitioner(s):

Mr.Vivek.V

For Respondent(s):

Mr.P.Dhileepan,

Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section
127(2), 308(2) and 351(2) of BNS Act in Crime No.94 of 2026 on the file of the
respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner along with the
other accused waylaid the de facto complainant and robbed a sum of Rs.599/-
from him. Hence, the present complaint.



3. The learned counsel for the petitioner submitted that though the theft case has been registered against the petitioner on 21.02.2026, the petitioner is only arrayed as A3 in this case, however, the learned Magistrate has not taken cognizance against A1 and A2. He further submits that the petitioner has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Considering the totality of the circumstances and nature of allegation put forth against the petitioner and that the stolen amount has been recovered from the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required and is inclined to enlarge the petitioner on anticipatory bail, 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 Court No.I, Tambaram**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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. and 5.30 pm., 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 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]***;



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C.KUMARAPPAN, J.

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

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To

1. The Judicial Magistrate Court No.I, Tambaram

2. The Public Prosecutor,
High Court, Madras.

3. The Inspector of police,
Peerkkankaranai Police Station,
Tambaram City District.

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