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CRL OP No. 11976 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 11976 of 2026

1. Karthik, Male / aged about 20 years

2. Thippu Sulthan, Male / aged about 21 years

... Petitioners

vs.

State rep by
The Sub-Inspector of Police,
Jolarpet Police Station,
Thiruppathur District
(Crime No.09 of 2026)

... Respondent

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.09 of 2026.

For Petitioners: Mr.E. Kannadasan

For Respondent: Mr.S. Balaji
Government Advocate (Crl. Side)

ORDER

The petitioners / Accused Nos.2 and 3, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 331(4) and 303(2) of BNS Act, 2023 (under sections 457 and 379 of IPC), in connection with Cr.No.09 of 2026, seek anticipatory bail.



2. The case of the prosecution is that, the petitioners along with the other accused trespassed into the house of de facto complainant and forcibly removed gold and silver articles worn by her. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners were falsely implicated in the present case based on the confession of the co-accused and that they are not the named accused in the FIR. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and would submit that there are 2 previous cases pending as against the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and considering the fact that the petitioners are not the named accused in the FIR and they have been arrayed as accused based on the confession of the co-accused, part of the stolen jewel were already recovered from the other accused, and though the petitioners have 2 previous cases, they are not similar in nature and they have got bail in all those



cases , I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.I, Tirupathur**, on condition that each petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of 30 days and thereafter, as and when required for interrogation.

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action 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 vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

13.05.2026

bga/dh

Note:

1.Registry is directed to forthwith upload this order in the official website of this Court.

2.All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.I, Tirupathur.
2. The Sub-Inspector of Police,
Jolarpet Police Station
Thiruppathur District
3. The Public Prosecutor, High Court, Madras.



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P. DHANABAL,J.

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