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CRL OP No. 11987 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 11987 of 2026

Syed Irshad
S/o. Syed Babu Jan,
D.No.932, Bidi Colony,
Chikka Mandya Kere,
Mandya, Karnataka – 571 401.

... Petitioner

vs.

State rep. by
The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
(Crime No.137 of 2026)

... Respondent

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest in Crime No.137 of 2026 on the file of the respondent police.

For Petitioner : Mr.C.Vigneshwaran

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303 (2) of BNS Act, 2023 (under Section 379 of IPC), seeks anticipatory bail.



2. The case of the prosecution is that unknown persons allegedly stole about 20 drilling bits, worth about Rs.2,00,000/- from the compressor truck of the defacto complainant, who is engaged in the borewell business. Hence, the complaint.

3. The learned counsel for the petitioner submitted that based on the confession statement of the co-accused, the petitioner's name was implicated in this case. He further submitted that he has not committed any offence as alleged by the prosecution and that he is not a named accused. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The Learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that there is no previous case pending as against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the submissions made by both side counsel, nature of offence, and the fact that there is no previous case pending against the petitioner, and that the petitioner has been implicated in this case based on the confession of the co-accused, and also considering that the co-accused has



already been granted bail by this Court, I am inclined to grant anticipatory bail to the petitioner 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 his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Avinashi**, on condition that the 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 petitioner shall report before the respondent police, **daily at 10.30 a.m., until further orders;**

[b] the petitioner 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the



petitioner 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

13.05.2026

dh/bga

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,
Avinashi.
- 2.The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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