



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13977 of 2026

D.Kishor
S/o.Dhamodharan,
No. 181, Bazaar Street,
Anvarthikanpettai,
Arakkonam, Ranipet,
Tamilnadu.

..Petitioner(s)

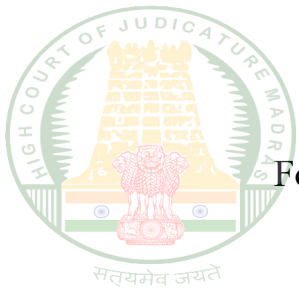
Vs

The Union rep. by
The Assistant Sub Inspector of Police,
Railway Protection Force, Arakkonam RPF,
Ranipet, Tamilnadu.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on anticipatory bail in the event of the arrest by the Respondent Police in Crime No.5 of 2026 in the file of the Assistant Sub Inspector of Police, Railway Protection Force, Arakkonam and thus render justice.

For Petitioner(s): Mr.R.Jawahar



For Respondent(s): Mr.N.Palanivel

Government Advocate (Crl.Side)

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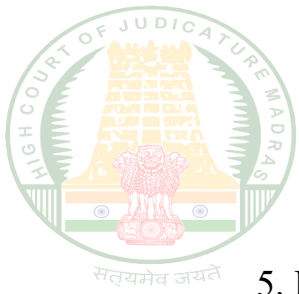
ORDER

The petitioner who apprehends arrest for the alleged offences under Section 187 of BNSS read with Section 3(a) of the Railway Property (Unlawful Possession) Act, 1966 in Crime No.5 of 2026 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 stolen the railway property and sold the same to the petitioner(A3).

3. The learned counsel for the petitioner submitted that based on the confession statement made by A1 and A2, petitioner has been implicated in this case. He further submitted that A1 and A2 had already been released on bail.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent Police reiterated the prosecution case and, upon instructions, submitted that the accused persons had stolen the railway property and sold the same to the petitioner and the petitioner has also purchased the same from A1 and A2. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5. I have given my anxious consideration to either side submissions.

6. Considering the nature of the allegations and the totality of the facts and circumstances of the case, this Court is of the firm view that, custodial interrogation of the petitioner is not required. Hence, this Court 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 **Judicial Magistrate No.II, Arakkonam** 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;



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(b) The sureties shall affix their photographs and left thumb impression in the application for surety slip (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(c) The petitioner shall report before the respondent Police daily at 10.30 am for a period of two weeks and thereafter, as and when required;

(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 is 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.

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Index: Yes/No

Neutral Citation: Yes/No

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1.The Judicial Magistrate No.II, Arakkonam

2.The Assistant Sub Inspector of Police,
Railway Protection Force, Arakkonam RPF,
Ranipet, Tamilnadu.

3. The Public Prosecutor,
High Court, Chennai.



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C.KUMARAPPAN, J.

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