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CRL OP No. 15495 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15495 of 2026

K Sumanraj

..Petitioner

Vs

The State Rep By,
The Inspector of Police
Anaicut Police Station,
Chengalpattu.
Crime No.98 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to grant anticipatory bail to the petitioners in the event of their arrest pending investigation in Crime No.98 of 2026 on the file of the respondent police.

For Petitioner: Mr.V.Hemnath

For Respondent: Mr.N.Palanivel,
Govt.Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 303(2) of BNS, 2023 in Crime No. 98 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that de facto complainant is doing watermelon cultivation in his land for which he has inserted drip irrigation for watering the plants and the same was stolen by one Aandiyappan along with petitioner and others worth of Rs.13,000/-. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the stolen property has been recovered and fairly conceded that the petitioner has no criminal antecedents against him. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case, taking note of the



submissions made by the learned counsel on both sides, considering the peculiar aspect, though this is a case of theft, on account of recovery of stolen property, this Court is of the firm view that custodial interrogation of the petitioner is not required. 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, Cheyyur**, 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



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Police, everyday at 10.30 a.m., 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]***;

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

19-06-2026

SHL

To

1. The Judicial Magistrate, Cheyyur
2. The Inspector of Police
Anaicut Police Station,
Chengalpattu.
3. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN J.

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