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CRL OP No. 15743 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15743 of 2026

Prakash

..Petitioner

Vs

The State Represented by its,
Inspector of Police,
Chennimalai Police Station,
Erode District.
[Crime No.257 of 2025]

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No.257 of 2025 on the file of the respondent police for the alleged offences punishable under sections 331(4) and 62 of the Bharatiya Nyaya Sanhita, 2023.

For Petitioner:

Ms.S.Nazira Banu

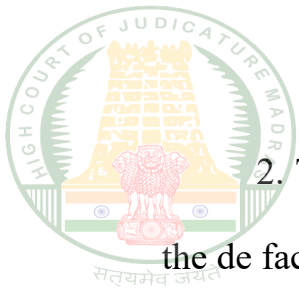
For Respondent:

Ms.R.S.Indira

Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 331(4) and 62 of the Bharatiya Nyaya Sanhita, 2023 in Crime No. 257 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on 14.08.2025, at about 02:00 a.m., the de facto complainant's father, while in Canada monitoring his house situated at Tamil Nagar, Mugasipidariyur, Chennimalai, through CCTV cameras, found that the cameras had been turned away. He immediately informed his neighbour, who allegedly saw some unidentified persons break open the door lock and attempt to commit theft. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. She further submits that a co-accused has already been released on bail by the learned Judicial Magistrate, Perundurai, in CrI.M.P. No. 1313 of 2025 on 02.01.2026. She also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court, and therefore prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and submitted that the petitioner has no criminal antecedents. However, she opposed the grant of 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 fact that the occurrence took place on 14.08.2025, the FIR was registered against unidentified persons, a co-accused has already been released on bail, and no actual theft took place, this Court is of the view that the custodial interrogation of the petitioner is not required at this stage. 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 **learned Judicial Magistrate, Perundurai** 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;



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(c) The petitioner shall report before the respondent police daily 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.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VEDA

To

1.Judicial Magistrate, Perundurai.

2.Inspector of Police,
Chennimalai Police Station,
Erode District.

3.The Public Prosecutor,
Madras High Court.



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C.KUMARAPPAN, J.

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