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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 23107 of 2026

CNR: {HCMA011903662026}

1. P. Prithviraj

2. Muthulakshmi

Case QR

..Petitioner(s)

Vs

The Inspector of Police
B4, Sevvapet Police Station,
Tiruvallur District.
Crime No. 250/2026

..Respondent(s)

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 by the Respondent Police in Crime No. 250 of 2026 u/s 305(a) of BNS, 2023 on the file of the respondent police and thus render justice.

For Petitioner(s): S. Vidhyasagar

For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)
Mediation Report Received From Tiruvallur
Dis.No.472/26 Dt.02.09.26

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 305(a) of BNS, 2023

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in Crime No. 250 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners, who are husband and wife, allegedly committed theft of 26 sovereigns of gold jewellery belonging to the de facto complainant, who is the mother of the first petitioner. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the first petitioner is the elder son of the *de facto* complainant and has been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous cases pending against the petitioners. Hence, he opposed the grant of anticipatory bail to the petitioners.

5. The specific allegation is that the first petitioner visited his mother's house and took away the said 26 sovereigns of jewellery. However, considering the facts and circumstances of the case, the nature of the dispute, and the fact that there are no previous cases pending against the petitioners; and also noting that although the matter was referred to mediation for settlement, it proved

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unsuccessful despite several attempts and was referred back to this Court; this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Tiruvallur,** on condition that **the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only),** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and**

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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 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 v. State of Kerala [(2005) AIR SCW 5560];***

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

10-11-2026

MPA

To

1. The Judicial Magistrate-II, Tiruvallur.

2. The Inspector of Police
B4, Sevvapet Police Station,
Tiruvallur District.
Crime No. 250/2026

3.The Public prosecutor, High Court, Madras.

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N.RAMESH, J.

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