



CRL OP(MD). No.1778 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.1778 of 2026

Nakesh

... Petitioner/Accused

Vs

The State of Tamilnadu Rep. By,
The Inspector of Police,
Manachanallur Police Station,
Trichy District.
(Crime No. 723 of 2025).

... Respondent/Complainant

For Petitioner : Mr.Arun.B

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.723 of 2025 on the file of the
respondent police.



CRL OP(MD), No.1778 of 2026

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 309 (4) of BNS, in Crime No.723 of 2025 , seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with the other accused, committed theft of the defacto complainant's bike Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the co-accused has already been remanded and that the stolen property has been recovered. He further submitted that ten previous cases are pending against the petitioner, out



CRL OP(MD), No.1778 of 2026

of which six are of a similar nature. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the stolen property has already been recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.III, Trichy, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



CRL OP(MD), No.1778 of 2026

WEB COPY

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(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 petitioners 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]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
30.01.2026

jbr



CRL OP(MD), No.1778 of 2026

WEB COPY

TO

1. The Judicial Magistrate No.III, Trichy
2. The Inspector of Police,
Manachanallur Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD), No.1778 of 2026

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.1778 of 2026

Date : 30/01/2026