



Crl.O.P.No.30626 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30626 of 2024

S.Ganesan

... Petitioner

Vs.

The State represented by its
The Inspector of Police,
Magudanchavadi Police Station,
Kakapalayam, Salem - 637 504.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Criminal Procedure Code read with Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No. Not known of 2024, on the file of the respondent police.

For Petitioner : Mr.Shabeer Ali

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

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Apprehending arrest in connection with Crime No. Not Known of 2024 registered for the offences punishable under Sections 117 (3), 351 of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No. Not known of 2024, seek anticipatory bail.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that petition enquiry against the petitioner is pending in C.S.R.No.754 of 2024.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police.

4. Recording the submission made by the learned Government Advocate (Crl.Side), it is hereby directed that the respondent police has to issue notice under Section 35 of BNSS to the petitioner and the petitioner is directed to appear before the respondent police and the



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Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any *prima facie* case is made out against the petitioner, register the F.I.R or close the petition enquiry at the earliest.

5. The parties are directed to cooperate with the enquiry. It is needless to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the *de facto* complainant.

6. With the above directions, this Criminal Original Petition stands disposed of.

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A.D.JAGADISH CHANDIRA, J.

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