



WEB COPY



CRL OP NO. 31292 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31292 of 2024

Manikandan

S/o. Jayachandran, No 36 New vaniyankulam 2nd
Street Tiruvannamalai 606601 and another

Petitioner(s)

Vs

State Rep By Its, Inspector Of Police,
T-12, Poonamallee Police Station, (crime No.
923/2024)

Respondent(s)

Criminal Original Petition filed u/s. 482 of BNSS, 2023 praying to enlarge the petitioner on anticipatory bail in the event of their arrest by the respondent police in Crime No. 923 of 2024 on the file of the respondent police.

For Petitioner(s):

D Thirugnanam
S. Devendran

For Respondent(s): Mr.S.Santhosh, Govt. Adv. Crl.Side

ORDER

Apprehending arrest in connection with Crime No. 923 of 2024 registered for the offences punishable under Sections 296(b), 318(4) and



351(3) of BNS, the present petition has been filed seeking anticipatory bail.

WEB COPY

2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is innocent and false complaint has been given against the petitioners. He would further submit that there was some family dispute between the petitioners and the de-facto complainant. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that there was family dispute between the petitioners and the de-facto complainant. On 17.11.2024, the petitioners intercepted the de-facto complainant and abused her using filthy language and also threatened her with knife. He would further submits that there is no previous case is pending against the petitioners.



WEB COPY

4 Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Poonamallee, Tiruvallur, on condition that the petitioners 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 the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners 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;

[c] the first petitioner shall report before the respondent Police at 10.30 a.m for a period of one week and the second petitioner as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 petitioner 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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16.12.2024

MSM

To

1. State Rep By Its, Inspector Of Police,
T-12, Poonamallee Police Station,
(crime No. 923/2024)

2.The Public Prosecutor, High Court, Madras.



WEB COPY



A.D.JAGADISH CHANDIRA, J.

MSM

Crl.O.P.No.31292 of 2024

16.12.2024