



CrI.O.P.No.31245 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. 31245 of 2024

Naresh

Petitioner(s)

Vs

The State Rep by
The Inspector Police,
Kavarapettai Police Station,
Thiruvallur District.
Cr.No.773 of 2024

Respondent(s)

For Petitioner(s): Mr.Krishnasamy Chinnasamy

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

ORDER

Apprehending arrest in connection with Crime No.773 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, the present petition has been filed by the petitioner seeking anticipatory bail.



2. Pleading innocence on the part of the petitioner, false implication

in the case, learned counsel for the petitioner seeks indulgence of this Court.

He further submits that the petitioner is only 18 years old and he is no way connected with the alleged offence. He would submit that the petitioner is 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 due to previous enmity, the petitioner along with other accused assaulted the defacto complainant with wooden log, due to which, the defacto complainant sustained injuries. He would submit that the injured has been discharged from the hospital. He would also submit that there are no previous cases against the petitioner.

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 and also considering that the injured discharged from the hospital, this Court is inclined to grant anticipatory bail



to the petitioner with certain conditions and accordingly, she is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif Cum Judicial Magistrate, Gummidipoondi**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties, **of which one shall be either father or mother of the petitioner**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[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 everyday at 10.30 a.m. for a period of two weeks and thereafter every Saturday at 10.30 a.m until further orders.



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Anu

[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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

16.12.2024

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To

1. The District Munsif Cum Judicial Magistrate, Gummidipoondi

2.The Inspector Police, Kavarapettai Police Station,

Thiruvallur District.

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