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*Crl.O.P.No.31598 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.12.2024

CORAM

**THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA**

**Crl.O.P.No.31598 of 2024**

R.Mayavishnu

.... Petitioner

Vs

State Rep. by  
The Inspector of Police,  
Salem City,  
Salem.  
(Cr.No.387 of 2024)

.... Respondent

**Prayer:** Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of arrest by the respondent police connected with Crime No.387 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.Venkatraman

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

**ORDER**

Apprehending arrest in connection with Crime No.387 of 2024 registered for the offences punishable under Section 191(2), 191(3), 296(b), 351(3) of Bharatiya Nyaya Sanhita, r/w. Section 3(1) of TNP(PD&L) Act, the



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present petition has been filed by the petitioner seeking anticipatory bail.

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2. The case of the prosecution is that the petitioner along with others had entered into the street of the defacto complainant with deadly weapons and caused damage to the bike of the defacto complainant and others vehicles. Hence, the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioner other than accompanying the other accused, he has not committed any offence and that a case of damage to the vehicles has been fabricated against him. He also submits that the petitioner has no previous case against him and without prejudice to the defence and contention, he is ready and willing to deposit a sum of Rs.5,000/- as non-refundable deposit to any welfare scheme of the Government or any organization. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of



anticipatory bail, is that the petitioner along with others entered into the street of the defacto complainant with deadly weapons and caused damages to the vehicles. He would submit that the petitioner has no previous cases pending against him.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and that there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. This Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioner may be directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.387 of 2024.

7. It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting his guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.



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8. Accordingly, the petitioner shall make a non refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the Crime No.387 of 2024, and on such deposit and on receipt of proof of payment, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate No.V, Salem***, 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 the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

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

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks, thereafter on every Saturday 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



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investigation or trial;

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[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 absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index : Yes/No

Internet : Yes/No

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To

1.The Inspector of Police,  
Salem City,  
Salem.

2.The Public Prosecutor,  
High Court, Madras.

**A.D.JAGADISH CHANDIRA, J.**



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