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Crl.O.P.No. 43 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 43 of 2025

C.Thangavel

... Petitioner

Versus

The State,
Represented by
The Inspector of Police
Jolarpet Police Station
Tirupathur District
Crime No. 734 of 2024.

...Respondent

Prayer : Criminal Original Petition filed Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on bail in the event of his arrest in Cr.No. 734 of 2024 on the file of the respondent police pending investigation.

For Petitioner : Mr.F. Wellington

For Respondent :Mr.S.Santhosh
Government Advocate [Crl. Side]



Apprehending arrest in connection with Crime No. 734 of 2024

registered for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS and Section 4 of TNPHW Act, the present petition has been filed 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 there was property dispute between the parties and all the allegations levelled against A1. He would further submit that A1 was arrested and remanded to judicial custody. He would further submit that this case is a case in counter in Crime No. 735 of 2024 registered a case against the de-facto complainant. 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 there was property dispute between the petitioner & others and the de-facto complainant. He would further submit that the petitioner along with others assaulted the de-facto complainant with iron rod



on her right forehead, due to which, the de-facto complainant sustained injuries. He would further submit that the first accused was arrested and remanded to judicial custody. He would further submit that this case is a case in counter in Crime No. 735 of 2024. He would further submit that there is no previous case pending against the petitioner.

4. Having heard the learned counsel for the petitioner 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 petitioner with certain conditions and accordingly, he 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.I, Tirupattur**, 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



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Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m until further orders;

[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];



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

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A.D.JAGADISH CHANDIRA, J.

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