

CRL OP NO. 192 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 192 of 2025

Mani @ Manikandan

S/o.Jayaprakash, No.74, 1 St Main Road, Tnhb T Phase, 1,
Mogappair, Thiruvallur 600 037

Petitioner(s)

Vs

The State Rep By The Inspector Of Police

Nolambur Police Station Chennai District. (Crime No.483/2024)

Respondent(s)

For Petitioner(s): Mr. M. R. Elavarasan

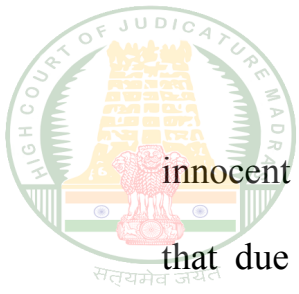
For Respondent(s): Mr. S.Santhosh, Government Advocate (Crl.side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 118(2), 329(2) 329(4) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.483 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant, is that a wordy quarrel led to the petitioner, along with the other accused, allegedly assaulting the de-facto complainant with a wooden log, causing injuries and also abusing him with filthy language. Hence, this case.

<https://www.mhc.tn.gov.in/judis> 3. Learned counsel for the petitioners submits that the petitioner is



innocent persons who has been falsely implicated in this case. He also submits that due a civil dispute and previous enmity, a false case has been foisted against the petitioner. Further, he added that the main co-accused/A1 has already been granted bail and the injured has also been discharged from the hospital. There are no previous cases pending against the petitioner. Furthermore, he submits that the petitioner is ready to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner, stating that there is a property dispute between the de-facto complainant and the petitioner. The de-facto complainant refused to give money to the accused/A1 to buy alcohol, due to which the petitioner, along with the other co-accused/A1 attacked the de-facto complainant with knife and causing cut injuries to his hand and his friend sustained a knee injury. The de-facto complainant was hospitalised for 10 days and has been discharged. He further submitted that there is no previous case pending as against the petitioner.

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

6. Taking note of the facts and circumstances of the case, the



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submissions made by the learned counsel on either side and taking note of the fact that, there is no previous case as against this petitioner, and the injured was discharged, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions, and accordingly, 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 on which the order copy made ready, before **the learned Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties (out of which one shall be a blood relative)** 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 06:30 P.M., until further orders;

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

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

[e] On breach of any of the aforesaid conditions, the



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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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28.01.2025

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To

The State Rep. By,
The Inspector of Police,
PEW – Namakkal Police Station,
Namakkal District. (Crime No.578/2024)



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A.D. JAGADISH CHANDIRA, J.

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