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CRL OP NO. 985 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 985 of 2025

KUMARAVEL

S/o.Late.Karnan,Ambedkar Street, Kalpattu, Velut Post, Cheyyur Taluk,
Chengalpattu District.

Petitioner(s)

Vs

The State Rep By, The Inspector Of Police

Chunambedu Police Station, Chengalpattu District. (Crime No.357 Of 2024)

Respondent(s)

For Petitioner(s): Mr. M.Prakash, Mr. A.Ragunathan, M/s. R.Gomathi

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 85, 296(b), 115(2) and 351(2) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023, in Crime No.357 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and the petitioner

<https://www.mhc.ap.gov.in/judis> are neighbours. A wordy quarrel arose between them due to a misunderstanding.



In the heated of the moment, the petitioner threw stones at the de-facto complainant, causing injuries. Hence, this case.

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3. Learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner has no connection to the alleged offence as alleged by the prosecution, and has been falsely implicated. There is no previous case pending against the petitioner.

Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner. He stated that a verbal altercation arose between the petitioner and the de-facto complainant over drying clothes. The petitioner attacked the de-facto complainant by throwing stones, causing injuries and also using filthy language.

The injured has been discharged. Further, he submitted that the petitioner has no previous case.

5. 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



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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 of receipt of a copy of this order, before the

learned District Munsif Cum Judicial Magistrate, Cheyyur, on condition

that the petitioner shall execute separate 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:

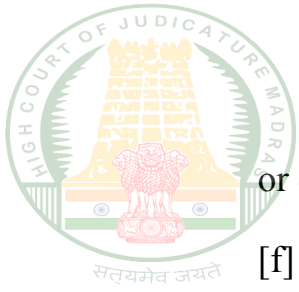
[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner 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 on everyday at 06:30 P.M until further orders;

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

[e] the petitioner shall not abscond either during the investigation



or during the 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 were 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

21-01-2025

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To

1. The State Rep By, The Inspector Of Police
Chunambedu Police Station, Chengalpattu District.
Crime No.357 Of 2024

A.D. JAGADISH CHANDIRA, J.

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