



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1428 of 2025

R.Dhayalan

S/o.M.Ramasamy, Residing at No.5 1 K, Railway Quarters,
Railway Station Road, Kodambakkam, Chennai-600024.

Petitioner(s)

Vs

The State Rep by its

The Inspector of Police (Law and Order), Arakandanallur Police
Station, Viluppuram. (Crime No.464 of 2024).

Respondent(s)

For Petitioner(s):

C Celastina
H.Manivannan
D.Prabu
G.Sathishkumar
S.Punniyakotti
M.Palanisamy

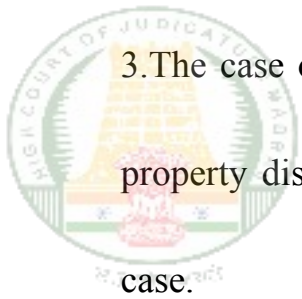
For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 296(b), 118(1), 351(3), 61(2) & 109 of the BNS in Crime No.464 of 2024, seeks anticipatory bail.

2.Heard the learned counsel appearing on behalf of the parties.



3.The case of the prosecution is that the petitioner along with other accused d

property dispute assaulted the de facto complainant, causing him injuries. Hence the case.

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4.The learned counsel for the petitioner submitted that this is the second petition seeking anticipatory bail. He further submitted that the petitioner is not able to comply with the earlier order passed by this Court dated 12.11.2024 in CrI.O.P.No.28176 of 2024 and now, the petitioner will surrender within the time frame fixed by this Court. He further submitted that there is no previous case pending against the petitioner and the petitioner is ready and willing to abide by any condition that may be imposed on him.

5.The learned Government Advocate (CrI. Side) while opposing for grant of bail to the petitioner submitted that there is a property dispute between the parties and on the date of occurrence there was a wordy quarrel between the parties, in which the petitioner along with other accused assaulted the de facto complainant, resulting in injuries to him. He further submitted that the injured has been discharged from the hospital and there is no previous case pending against the petitioner.

6..Taking into consideration the facts of the case and the submission that the petitioner has no bad antecedents and the injured has been discharged from the hospital, I am



inclined to grant anticipatory bail to the petitioner subject to the following conditions:

7. 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 Judicial Magistrate, Thiruvannainallur 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 fail 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 06.30 p.m for a period of two weeks, thereafter on every Saturday at 06.30 p.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 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 absconds, a fresh FIR can be registered under Section 269

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22.01.2024

msv

To
The Inspector Of Police,
Gudiyatham Taluk Police Station,
Vellore District.



A.D. JAGADISH CHANDIKA, J.

msv

Crl.O.P. No.1428 of 2025

22.01.2025