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Crl.OP.No.1050 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 1050 of 2025

MANIKANDAN

S/O. Raji, No 2 /69, kilaku merku theru,
Thirupeyar village post, Edaikal, Kallakurichi
district

Petitioner(s)

Vs

State Rep By
The Inspector of Police Edaikkal Police Station
Kallakurichi District In (Crime No 358/2024)

Respondent(s)

For Petitioner(s):

Aneesh Vinayak

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

For Intervener : Mr.A.Ramesh

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 74, 351(3) of BNS and Section 3 of TNPPDL Act, 1992 in Crime No.358 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other



accused, due to previous enmity attacked the defacto complainant with iron rod causing injuries to him and also damaged his car. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case; that the defacto complainant is a notorious person; that the allegations are false; and that in any case, the custodial interrogation is not necessary and the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions, submitted that the injured was treated as out patient. He further submitted that the petitioner had damaged a car and caused loss to the tune of Rs.2 lakhs.

5. The learned counsel for the intervener vehemently opposed the grant of bail to the petitioner.

6. At this juncture, the learned counsel for the petitioner submitted that the petitioner would deposit a sum of Rs.20,000/- without prejudice to



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his defence.

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

8. Considering the nature of allegations and the submission made by the learned counsel on either side and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. 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 copy of this order, before the learned Judicial Magistrate No.I, Ulundurpet, on condition that the petitioner shall execute a bond for 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:



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- [a] **the petitioner shall deposit a sum of Rs.20,000/- to the credit of Crime No.358 of 2024 before the learned Judicial Magistrate No.I, Ulundurpet, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit that the withdrawal is subject to the result of the trial with proper identification and acknowledgment;**
- [b] 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 abscond either during investigation or trial;
- [e] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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*** reported in [(2005)AIR SCW 5560];

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

12.02.2025

drl

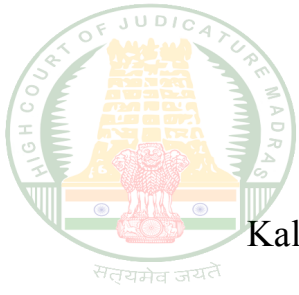
SUNDER MOHAN, J.

drl

To

1. The Inspector of Police
Edaikkal Police Station

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2. The Public Prosecutor,
Madras High Court,
Chennai.

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