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Crl OP No.1181 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 1181 of 2025

1. PAVALAKODI
2. THIRUNAVUKARASU
3. GANDHI
4. THILIP @ THILIPKUMAR

Petitioner(s)

Vs

State Rep By
The Inspector of Police, '
Dharapuram Police Station, Tiruppur.
(Cr.No. 6 of 2025)

Respondent(s)

For Petitioner(s):

K.KARTHIK

For Respondent(s):

Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(2), 351(3) of BNS in Crime No.6 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 06.01.2025, there was a wordy quarrel between the petitioner and the defacto complainant with regard to the parking of a vehicle over a water pipe, which was damaged, as a result, of which, the petitioner assaulted the defacto complainant with knife causing injuries to him and later he was admitted to the hospital. Hence the case.

3.The learned counsel for the petitioner would submit that due to wordy quarrel, the petitioner has been falsely implicated in this case; that the petitioner has no previous bad antecedent, and that custodial interrogation of the petitioner is not necessary in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that the victim was admitted in the hospital and thereafter discharged. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the



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materials available on record.

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6.Considering the nature of dispute, nature of injuries sustained by the victim, the fact that the injured is discharged from the hospital and since the custodial interrogation of the victim is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions

(a) Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the ***Judicial Magistrate Court, Dharapuram***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police daily at 10.30 a.m, until further orders.



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[SUNDER MOHAN, J.]

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(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

05-02-2025

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To
1.The Inspector of Police, '
Dharapuram Police Station, Tiruppur.