



WEB COPY



Crl.OP.No.1289 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. No.1289 of 2025

N.Sekar

... Petitioner

Vs.

State rep. by its The Inspector of Police,
H.6 R.K.Nagar, Police Station, Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS for granting anticipatory bail to the petitioner.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.S.Santhosh
Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 109[1], 118[1], 126[2], 196[b], 351[3] of BNS 2023, in Crime No.4 of 2025, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that due to previous enmity, the petitioner is alleged to have assaulted the son of the defacto complainant and caused injury. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the injured has been discharged from the hospital and that the petitioner is not involved in any previous case.

5. Considering the submissions of both sides and also of the fact that the victim has been discharged from the hospital and there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days



from the date of receipt of a copy of this order before the **learned XV**

Metropolitan Magistrate, George Town, Chennai 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of one month and thereafter, as and when required for interrogation.

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

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].



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[e] if the accused thereafter absconds, a fresh FIR can be registered

under Section 269 of the B.N.S.

17.01.2025

vrc

To,

1. The XV Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
H.6 R.K.Nagar, Police Station, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

VTC

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