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CrI.O.P.No.1567 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.1567 of 2025

Ganesamoorthy

... Petitioner

Vs.

The Inspector of Police,
Sozhatharam Police Station,
Cuddalore District,
(Crime No.62 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 438 of Criminal Procedure Code or under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of their arrest by the respondent police concerned in Crime No.62 of 2024, on the file of the respondent police.

For Petitioner : Mr.G.D.Sendillveal

For Respondent : Mr.S.Santhosh
Government Advocate (CrI.Side)



ORDER

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2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioner is an innocent and he has been falsely implicated in this case. He also submits that owing to previous enmity a false complaint has been lodged against the petitioner. He also submits that the petitioner had no intention of causing harm to the deceased and the incident was merely an accident. He further submitted that he has been arrayed as A3. He further submits that A1 and A2 were arrested and released on bail. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this Court.



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3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner along with other accused, caused death of the deceased by pouring hot water on him. He further submits that the deceased having sustained injuries on 23.04.2024, succumbed to them and died in the hospital on 27.04.2024.

4.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 the petitioner with certain conditions and accordingly, they 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 learned Judicial Munsif cum Judicial Magistrate, Kattumannarkoil, 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



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arrest or to the satisfaction of the said Magistrate, on further condition that:

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[a] if the petitioners 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 everyday at 10.30 a.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 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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A.D.JAGADISH CHANDIRA, J.

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