



CRL OP NO. 1432 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1432 of 2025

Kumerasan @ Bothu M/35
S/o.Ashokan,
No,70, Indira Nagar, Senganatham. Rangapuram Post,
Vellore,Vellore District.

Petitioner(s)

Vs

The State Rep.By, The Inspector Of Police,
Sathuvachari Police Station,
Vellore District ,(Crime No.03 of 2025)

Respondent(s)

For Petitioner(s): Mr. K. Sathish Kumar

For Respondent(s): Mr. S.Santhosh,Government Advocate (Criminal Side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b) of the Bharatiya Nyaya Sanhita (BNS) Act 2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, in Crime No.3 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that when the de-facto complainant was alone at home, the petitioner entered the house and misbehaved with the defacto complainant in a durken state, and also abused her. Hence, this case.

3. Learned counsel for the petitioner submits that the petitioner is an innocent person, who has been falsely implicated in this case. The petitioner has no way connection with the offences as alleged by the prosecution. Further, he submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submits that the petitioner entered the de-facto complainant's house in an intoxicated condition, misbehaved with her, and also abused her using filthy language. There are no previous cases pending against the petitioner.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) and also perused the materials available on record.

6. Considering the nature of the offence charged against the petitioner and also taking note of the fact that the petitioner has no previous cases pending against him, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and 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 No.V, Vellore, Vellore District.** 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 fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner and the sureties shall affix their photographs and



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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 daily at 10:30 A.M., for a period of two weeks and thereafter, every Saturday at 10:30 A.M., until further orders;

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

[e] the petitioner shall not abscond either during the investigation or during the trial;

[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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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22-01-2025



To

1. The State Rep. By, The Inspector Of Police,
Sathuvachari Police Station,
Vellore District. (Crime No.03 of 2025)



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A.D. JAGADISH CHANDIRA, J.

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