



CRL OP NO. 1673 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1673 of 2025

NITHISH

S/o. Suresh, D.No.19, Kelpallavi Street, Kandal, Ooty. and another

Petitioner(s)

Vs

State Rep By

The Inspector Of Police, G-1, (t3)town West Police Station, Ooty.
(crime No. 213/2024)

Respondent(s)

For Petitioner(s):

Vellidoss Sattu
S.Vellidoss
S.Mareeswaran
M.Manjula

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences

punishable under Section 296(b), 115(2), 118(1), 121(1), 132, 351(3) of BNS in Crime

No.213 of 2024, on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that on 26.11.2024, when the respondent were conducting ride at Kandal, at that time, the petitioners were dancing on the road in an intoxicated state and they obstructed the defacto complainant from performing the official duties and also verbally abused him. Hence, this case.

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3. Learned counsel appearing for the petitioner would submit that the petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners, stating that the petitioners obstructed the defacto complainant from performing the official duties, when the same was questioned by the defacto complainant, the petitioners assaulted him. He further submitted that there are two previous case pending against the petitioners.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including

the FIR



6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 on which the order copy made ready, before **the learned Judicial Magistrate, Ooty** on condition that the petitioner shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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.

[b] the petitioner shall report before the learned Judicial Magistrate, Ooty on all working days at 10.30 a.m. for a period of two weeks and thereafter, 1st working day of every month 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.

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[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].

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

24-01-2025

msv
To
The Inspector Of Police,
G-1, (t3)town West Police Station,
Ooty.