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Crl.O.P.No.1638 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1638 of 2025

A.Purushothaman

.... Petitioner

Vs

The State Represented by
Inspector of Police,
Aruvankadu Police Station,
The Nilgiris
Crime No.87 of 2024

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant anticipatory bail to the petitioner in the event of arrest in Crime No. 87 of 2024 by the respondent police.

For Petitioner	:	Mr.R.Suryakumaran
For Respondent	:	Mr.S.Santhosh Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.87 of 2024 registered for the offences punishable under Sections 118(1), 351(2) of BNS, the present petition has been filed seeking anticipatory bail.



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 petitioner would submit that a quarrel arose between the defacto complainant and her grandmother, during which the defacto complainant poured flammable fuel and set her grandmother on fire. When the petitioner questioned the same, the defacto complainant threw a brick on him. This is a case in counter case of Crime No.86 of 2024. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

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 due to a property dispute, a verbal altercation ensued between the petitioner and the defacto complainant. As a result of which, the petitioner attacked the defacto complainant and caused injuries to her. He would submit that the injured person has been discharged from the hospital. He would also submit that a case in a counter case has been filed and there are no previous cases pending against the petitioner.



Crl.O.P.No.1638 of 2025

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police, perused the materials available on record and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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, Coonoor, on condition that the petitioner 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, on further condition that:

[a] if the petitioner 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 on every Saturday at 06.30 p.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;



Crl.O.P.No.1638 of 2025

A.D.JAGADISH CHANDIRA,J.

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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 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 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.

24.01.2025

Index : Yes/No
Internet : Yes/No
Lpp

To

1.Inspector of Police,
Aruvankadu Police Station,
The Nilgiris

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.1638 of 2025