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Crl.O.P.No.2112 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 2112 of 2025

Saran
S/o. Baskar Durai, 2/261, Ponnagar, Mettur
Dam-636401, Salem District.

Petitioner(s)

Vs

The State Rep by,
The Inspector of Police, Mettur Police station,
Salem District. Crime No.26 of 2025.

Respondent(s)

For Petitioner(s): Madhankumar M

For Respondent(s): Public Prosecutor

ORDER

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1) and 351(3) of BNS in Crime No.26 of 2025, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that on 14.01.2025, when the defacto complainant and others were celebrating pongal festival, a wordy quarrel arose between the petitioner and other accused persons with the defacto complainant and his members, due to which the petitioner and other accused abused and assaulted the defacto complainant using stick, thereby he sustained injuries. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and he has been falsely implicated in this case. He also submitted that the petitioner had never committed any offence as alleged by the prosecution. He would further submit that due to wordy quarrel arose between the parties, both parties exchanged blows and the petitioner is also ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the



petitioner, stating that the petitioner along with others picked up a wordy quarrel with the defacto complainant and his members, on account of pongal festival celebration, thereby, the petitioner along with other accused abused and assaulted the defacto complainant using stick, thereby, he sustained minor injuries. He further submitted that the petitioner has no previous cases and the investigation is pending.

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

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side and the fact that the petitioner has no previous case, 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 No.I, Mettur, Salem District 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 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.



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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 B.N.S.

29.01.2025

stn

To

1. The State Rep by,
The Inspector of Police,
Mettur Police station,
Salem District.
Crime No.26 of 2025.



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A.D.JAGADISH CHANDIRA, J.

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