



WEB COPY

CRL OP NO. 1978 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1978 of 2025

Kumaraguru

Petitioner(s)

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Nellikuppam Police Station, Cuddalore.
(Crime No.420 of 2024)

Respondent(s)

For Petitioner(s): Mr.B.Janakiram

For Respondent(s): Mr.S.Santhosh, Government Advocate,(Crl.side)

ORDER

Apprehending arrest in connection with Crime No.420 of 2024 registered for the offences punishable under Sections 115(2), 118(1) and 296(b) of the Bharatiya Nyaya Sanhita, (BNS), 2023, 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. He further submits that due to previous enmity, a false case has been



foisted against the petitioner. He also submits that the petitioner 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 put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, submitted that a dispute arose regarding the storage of cement bags for construction near the house of the de-facto complainant and the petitioner. The petitioner, along with the other accused allegedly assaulted the de-facto complainant with iron rod, causing injuries. The injured person has since been discharged. A counter case has also been filed. Further, he submitted that there are no previous cases pending against the petitioner.

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, and also considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 - I, Cuddalore**, 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 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 daily at 06:30 P.M., until further orders;

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

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

[f] If the petitioner 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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To

- 1.The Inspector of Police,
Nellikuppam Police Station, Cuddalore.
- 2.The Judicial Magistrate – I, Cuddalore.
- 3.The Public Prosecutor, High Court, Madras.

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