



Crl.O.P.No.2059 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.2059 of 2025

S.Senthil Kumar

petitioner(s)

Vs

State Rep By its,
The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai District. (Crime No.29 of 2025)

Respondent(s)

For petitioner(s): Mr. M. Mohamed Riyaz

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), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023, in Crime No.29 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and the petitioner are neighbours. The petitioner went to the de-facto complainant's house and engaged in a physical altercation, which led to a heated argument. The de-facto complainant was allegedly attacked by the petitioner, causing him to fall unconscious. 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 connection with the offence as alleged by the prosecution, and due to previous enmity, he has been falsely implicated. There is no previous cases pending against the petitioner. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner. He stated that due to a wordy quarrel arose between the petitioner and the de-facto complainant, the petitioner assaulted the de-facto complainant. Further, he submits that the petitioner has no previous case pending against him.

5. 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, 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 XVII Metropolitan Magistrate Court, Saidapet, Chennai**, on condition that the petitioner shall execute 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 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 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 on everyday at 06:30 P.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 were released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW
5560];

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[g] If the petitioner thereafter abscond, a fresh FIR can be
registered under Section 269 of BNS.

29-01-2025

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To

1.State Rep By its,
The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai District. (Crime No.29 of 2025)



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A.D. JAGADISH CHANDIRA, J.

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