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CRL OP NO. 2313 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2313 of 2025

Rajamoorthy

Petitioner

Vs

The State Rep by its, The Inspector of Police,
Needamangalam Police Station,

Thiruvarur District.

Cr.No.20 of 2025

Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner / Accused on
anticipatory bail in the event of arrest in Crime No.20 of 2025 pending on
the file of the respondent police.

For petitioner:

Mr.C.Prakasam

For Respondent(s):

Mr.S.Balaji, Government Advocate (Crl.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)



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of BNS on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that due to previous enmity that existed between the petitioner and the *de facto* complainant, the latter was attacked.

Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the injured was discharged from hospital and there are 5 previous cases as against the petitioner, hence, opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials



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available on record.

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6. Considering the submissions made by either side, the injured was discharged from the hospital, though there are some previous cases as against the petitioner, he was arrested and released on bail in those cases and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 **Judicial Magistrate Needamanagalam** on condition that the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police every day 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.

[e] On breach of any of the aforesaid conditions, the learned



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SUNDER MOHAN,J.

vca

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.

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To
1 The Inspector of Police,
Needamangalam Police Station,
Thiruvarur District.
2. Judicial Magistrate, Needamanagalam
3.The Public Prosecutor
High Court, Madras

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