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Crl.O.P.No.2581 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2581 of 2025

Panchatcharam

... Petitioner

Vs.

The State Represented by,
The Inspector of Police (L & O),
K3, Amjikai Police Station,
Amjikai, Chennai.
(Crime No.32 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.32 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s. G. Anand Kumar

For Respondent : Mr. A. Gopinath
Government Advocate (Crl.Side)



CrI.O.P.No.2581 of 2025

WEB COPY

ORDER

Petition seeking bail in respect of Crime No.32 of 2025 registered for the alleged offences punishable under Sections 71(xiv) of TN City Police Act, R/w. 118(1), 123 and 125 of BNS, is on board for consideration.

2. The case of the prosecution is that, on 20.01.2025, the defacto complainant, who is a Grade II Women Police Head Constable lodged a complaint before the respondent police stating that, on 19.01.2025, while she was nearing sky walk in her two wheeler, a Manja thread came in contact with her neck, thereby she sustained injuries in her left thumb finger and neck. Hence, this case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and falsely implicated in this case and has not committed any offence as alleged by the prosecution. He also submitted that the petitioner has been arrested and remanded to judicial custody on 21.01.2025. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, therefore, prayed to grant bail to the petitioner.



Crl.O.P.No.2581 of 2025

WEB COPY

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for granting of bail to the petitioner submitted that the petitioner had used prohibited Manja thread to fly kite, with knowledge that it will cause severe injuries, if it come in contact with anyone. He also submitted that the said Manja thread used by the petitioner caused injuries in the left thumb finger and neck of the defacto complainant, while she was riding her two wheeler. He further submitted that the petitioner has no previous case.

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

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, the submissions made by the learned counsels on either side, the period of incarceration, the fact that the petitioner has no previous case and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner



CrI.O.P.No.2581 of 2025

with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned V Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:

[a] 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 abscond either during investigation or trial;

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



CrI.O.P.No.2581 of 2025

WEB COPY

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.

03.02.2025

stn

To

1. The V Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police (L & O),
K3, Amjikai Police Station,
Amjikai, Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.2581 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.2581 of 2025

03.02.2025