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Crl O.P.No.2565 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2565 of 2025

Vinoth @ Vignesh

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
T.Palur Police Station,
Ariyalur District.
(Crime No.10/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.10 of 2025 on the file of the respondent Police.

For Petitioner : Mr.M.Muthukrishnan

For Respondent : 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 Section 296(b), 115(2), 118(1),
351(3) altered to 296(b), 115(2), 118(1), 351(3), 324(4) of BNS Act in Crime
No.10 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that due to previous enmity regarding land dispute, the petitioner and his father abused and assaulted the defacto complainant using knife, in which the defacto complainant sustained injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner's father also lodged a complaint against the defacto complainant and the same was also registered in Crime No.11 of 2024 and in order to counter that, the present complaint has been lodged by the defacto complainant and that the injured has been discharged from the hospital. He further submitted that there is no previous case against the petitioner; and that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent confirms that on the complaint given by the petitioner, a case in Crime No.11 of 2024 has been registered and the case is investigated as case and counter by the respondent and that the defacto complainant has been discharged from the hospital; and that there is no previous case against the petitioner. However, he opposed for grant of anticipatory bail.



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

6. Considering that it is a case of case and counter and that injured has been discharged from the hospital; and the custodial interrogation of the petitioner is not required for the purpose of investigation, 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 is made ready, before the **Judicial Magistrate Court No.I, Jayakondam, Ariyalur District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily 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 Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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Index : Yes / No
Internet : Yes / No
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To

- 1.The Inspector of Police,
T.Palur Police Station,
Ariyalur District.
- 2.The Judicial Magistrate Court No.I ,
Jayakondam, Ariyalur District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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