



Crl.OP.No.2556 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2556 of 2025

Dilip

... Petitioner /Accused 2

Vs.

The State Rep. by
The Inspector of Police,
Periamet Police Station,
Chennai.
(Crime No.41 of 2025)

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.41 of 2025 pending investigation on the file of the respondent police.

For petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2), 115(2), 118(1), 351(3) of BNS Act, in Crime No.41 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 23.01.2025, at about 11 p.m, the petitioner and the other accused allegedly waylaid the defacto complainant, abused him with filthy language, assaulted him, and intimidated him. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that even as per the prosecution, the injured has been discharged from the hospital. Therefore, he prays to grant anticipatory bail to the petitioner.



4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, submitted that the petitioner is involved in a serious offence arising from a violent dispute, necessitating custodial interrogation. He would further submit that no previous case is pending against the petitioner.

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 the nature of allegation; there is no previous case pending against the petitioner; and that 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 their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned II



Metropolitan Magistrate – Egmore, Chennai, 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] 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 action against the petitioner in



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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*** reported in [(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

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr

To

1. The Inspector of Police,
Periamet Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned II Metropolitan Magistrate – Egmore,

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Chennai.

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SUNDER MOHAN, J.

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