



WEB COPY



Crl O.P.No.2969 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2969 of 2025

Durai @ T Duraimurugan
S/O. Thangaiyan, No. 32 B, Agraharam,
Kovilveni, Thiruvarur,

Petitioner(s)

Vs

State Rep.By, The Inspector Of Police,
Needamangalam, Thiruvarur District. Crime
No. 2/2025.

Respondent(s)

For Petitioner(s):

Mr.A. Mohammed Muhsin

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), 351(3) and 74 of BNS Act, in Crime No.2 of 2025, on the file of the respondent police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that when the *de facto* complainant was standing near a bus stand, the accused approached the *de facto* complainant and told her that since her husband was an alcoholic, she could live with the petitioner and pulled her saree; that when the *de facto* complainant resisted, the petitioner left from that place; that thereafter, the *de facto* complainant informed her husband; that when the *de facto* complainant's husband questioned the petitioner, the petitioner attacked him and his brother.

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 there is no previous case as against the petitioner. Hence, opposed for grant of anticipatory bail to the petitioner.



WEB COPY

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

6. Considering the submissions made by either sides, the injured was discharged from the hospital, there is case and counter case and there are no previous case as against the petitioner(s) 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 **District Munsif-cum-Judicial Magistrate, Needamangalam** 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:



WEB COPY



Crl O.P.No.2969 of 2025

SUNDER MOHAN, J.

vca

[b] the petitioners shall report before the respondent police every day at 10:30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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]**;

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

06.02.202

5

vca

To,

1.The State Rep.By, The Inspector Of Police,
Needamangalam, Thiruvvarur District. Crime No. 2/2025.

CRL OP NO. 2969 of 2025