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Crl.OP.No.2685 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2685 of 2025

Lokesh.S

... Petitioner /Accused 5

Vs.

State rep by
Inspector of Police,
N 4- Fishing Harbour Police Station,
Chennai
Crime No.453 of 2024

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in the above crime no. 453 of 2024 on the file of N4- Fishing Harbour Police Station, Chennai.

For petitioner : Mr.Vivekanandhan.K.B

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 311, 351(3) of BNS, 2023, in Crime No.453 of 2024, on the file of the respondent police, seek



anticipatory bail.

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2. The case of the prosecution is that, on 28.12.2024, at about 12:30 a.m, due to previous enmity, the petitioner, along with other accused assaulted the defacto complainant with knife and snatched two mobile phones. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is a law abiding citizen and ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of 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 petitioners, submitted that the petitioner is involved in a serious offence arising from a violent dispute, necessitating custodial interrogation. He would further submit that one mobile phone was recovered from the petitioner.



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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 the nature of allegation; there is one previous case pending against the petitioner; that the property has been recovered from 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 his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **XVI Metropolitan Magistrate, George Town Court, 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



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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 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



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

1. Learned XVI Metropolitan Magistrate,
George Town Court, Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Inspector of Police,
N 4- Fishing Harbour Police Station,
Chennai.

SUNDER MOHAN, J.

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