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Crl.O.P.No.2681 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE MR.JUSTICE **SUNDER MOHAN**

Crl.O.P.No.2681 of 2025

Praveen Kumar

...Petitioner/Accused (A3)

Vs.

The State Rep. by
The Inspector of Police,
J-1, Saidapet Police Station,
Chennai.
(Crime No.22 of 2025)

...Respondent/Complainant

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.22 of 2025 on the file of the respondent police.

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



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ORDER

The petitioner/accused (A3), who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1) & 351(3) of BNS, in Crime No.22 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation in the FIR is that the *de-facto* complainant sustained injury in a bike accident and went to have tea at about 1.35 a.m. on 17.01.2025 there he met the petitioner/A3 and others; that the petitioner/A3 and other accused asked the *de-facto* complainant to go to the hospital; that when the *de-facto* complainant refused the same, there was a wordy altercation, pursuant to which the petitioner is said to have attacked the *de-facto* complainant with a knife on his finger and head. Hence, the case.

3. The learned counsel for the petitioner/A3 would submit that the prosecution case is improbable, and in any case, the custodial interrogation of the petitioner is not required and sought for anticipatory bail.



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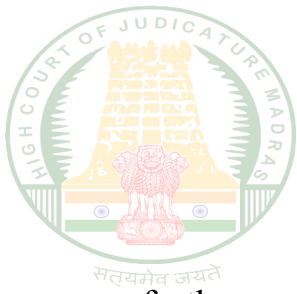
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4. The learned Government Advocate (Crl.Side), *per contra*, submitted that the petitioner/A3 has two previous cases registered for the offences under Sections 379 and 328 of the Indian Penal Code.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegation, the fact that the injured has been discharged from the hospital, and since 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 (15) days from the date on which the order copy was made ready, before the learned ***IX Metropolitan Magistrate, Saidapet***, 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



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further condition that:

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[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 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.



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To

- 1.The IX Metropolitan Magistrate,
Saidapet.
- 2.The Inspector of Police,
J-1, Saidapet Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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