



Crl.OP.No.2799 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2799 of 2025

Sathiyamoorthy

... Petitioner

Vs.

State by Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Tiruvannamalai.
(Crime No.4 of 2024)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail on event of arrest in Crime No.4 of 2024 on the file of the respondent police .

For petitioner : Ms.S.Praveennath

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 387, 341, 506(I) of IPC, 1860, in Crime No.04 of 2024, seeks anticipatory bail.



2. The case of the prosecution is that due to prior enmity, the petitioner obstructed the registration process at Sub-Registrar's Office, and assaulted and threatened the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the alleged incident is stated to have been occurred on 05.01.2024; and that the petitioner had already lodged complaint against the defacto complainant in Crime No.3 of 2024. He further submitted that the present FIR is a counterblast to the compliant filed by the petitioner; and that in any case, the custodial interrogation 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 petitioners, a case in Crime No.3 of 2024 has been registered and the case is investigated as case and counter by the respondent. Therefore, he opposed for grant of anticipatory bail.



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

6. Considering there is a case of case and counter; that the alleged occurrence took place on 05.01.2024; 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 **Judicial Magistrate, Karimangalam**, 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:



WEB COPY



CrI.OP.No.2799 of 2025

- [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*** reported in [(2005)AIR SCW 5560];



WEB COPY



CrI.OP.No.2799 of 2025

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

05.02.2025

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

To

1. The Inspector of Police,
District Crime Branch,
Tiruvannamalai.
2. The Judicial Magistrate,
Karimangalam.
3. The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY



Crl.OP.No.2799 of 2025

SUNDER MOHAN, J.

dpa

Crl.OP.No.2799 of 2025

05.02.2025