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CRL OP No.2926 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.02.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No.2926 of 2025

Sankar

.....Petitioner(s)

Vs

The State
rep. by the Inspector of Police,
Pudhupattinam Police Station,
Mayiladuthurai District.
(Crime No.13 of 2025)

...Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023 to enlarge the petitioner on anticipatory bail in the event of the arrest pending investigation in Crime No.13 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.Silambarasan Ramalingam

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 329(4), 290(b), 351(2) of BNS Act r/w Section 4 of TNPHW Act in Crime No.13 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner trespassed into the house of the defacto complainant with an intention to commit criminal intimidation and abuse her in filthy language Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is no way connected with the alleged offence. 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 petitioner, the petitioner trespassed into the house of the defacto complainant and abused her in filthy language. He further submitted that there are two previous cases pending against the petitioner.

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

6.Considering the nature of allegations; facts and circumstances of



the case; and that the custodial interrogation of the petitioner is not required for the purposes 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 was made ready, before the learned **Judicial Magistrate, Sirkali**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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



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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.

06.02.2025

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To

1. The Inspector of Police,
Pudhupattinam Police Station,



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Mayiladuthurai District.

2. The Judicial Magistrate, Sirkali.

3. The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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