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Crl O.P.No.2886 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2886 of 2025

Prem
S/o.Sadasivam, No.24/G Vedhappar St,
Natham, Chengalpattu District.

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
T-6 Peerkankaranai POLICE STATION,
Chengalpattu District. Cr. No.58/2025

Respondent(s)

For Appellant(s):

Mr.Magesh kumar g

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) and 126 (2) of BNS, 2023 r/w Section 3 of TN PP (D&L) in Crime No.58 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner and the *de facto* complainant's vehicles hit each other causing damage to the glasses of the vehicles. When the *de facto* complainant demanded money from the petitioner, quarrel arose between them. Hence, the case.

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 per contra submitted that the petitioner hit the vehicle of the *de facto* complainant causing damage to the wind shield of his vehicle. When the *de facto* complainant demanded money for the damages caused to his vehicle, quarrel arose between the parties. He further, submitted that the injured was discharged from the hospital and hence, opposed for grant of anticipatory bail to 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 representations made by both sides, the *de facto* complainant has been discharged from the hospital, there is no previous case as against the petitioner, the nature of the offence committed and since custodial interrogation is not required, 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 **learned Judicial Magistrate - I, Tambaram** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[b] the petitioner shall pay an amount of Rs.10,000/- to the credit of the crime number;

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

[d] the petitioner 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 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 BNS.

06.02.2025

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To,

The State Rep by, The Inspector of Police,
T-6 Peerankaranai POLICE STATION,
Chengalpattu District. Cr. No.58/2025

CRL OP NO. 2866 of 2025