



Crl.OP.No.3099 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **SUNDER MOHAN**

Crl.OP.No.3099 of 2025

Aravindan

...Petitioner/Accused

Vs.

The State Rep. by

The Inspector of Police,

M-5, Ennore Police Station,

Chennai District.

(Crime No.952 of 2024)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.952 of 2024 on the file of the respondent police.

For Petitioner : Mr.Gopalakrishnan E

For Respondent : Mr.Leonard Arul Joseph Selvam

Government Advocate (Crl.Side)

ORDER

Though this Court had earlier directed this Criminal Original Petition



to be listed before the same learned Judge, who had heard the application seeking bail or anticipatory bail of the accused relating to the same FIR, in view of the subsequent clarification made by the Hon'ble Supreme Court, this petition is taken up by this Court.

2. The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 311 and 351(3) of BNS, in Crime No.952 of 2024, on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner along with four other accused had waylaid the defacto complainant, demanded money and when the same was refused by the defacto complainant, the accused had abused him in filthy language and extorted a sum of Rs.2,500/- from him at knife point and also threatened the public with dire consequences. Hence, the case.

4. The learned counsel for the petitioner would submit that the



Crl.OP.No.3099 of 2025

allegations are false; that the petitioner is cooperating with the enquiry; that

A1 and A2 in this case have been released on bail by the trial Court vide order dated 10.02.2025 in Crl.M.P.No.80 of 2025 and A4 and A5 have been released on bail by this Court vide order dated 03.01.2025 in Crl.O.P.No.32584 of 2024; and that the custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police while opposing this petition, reiterated the prosecution case and on instructions submitted that the petitioner has one previous case. He further confirmed the fact that co-accused/A4 and A5 have been released on bail.

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



7. Considering the nature of allegations, the fact that co-accused/A1, A2, A4 and A5, have been released on bail and that 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.

8. 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, Tiruvottiur**, 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 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



CrI.OP.No.3099 of 2025

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.

17.02.2025

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

To

1. The Judicial Magistrate,



Crl.OP.No.3099 of 2025

Tiruvottiyur.

2. The Inspector of Police,
M-5, Ennore Police Station,
Chennai District.
3. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN, J.

ars

Crl.OP.No.3099 of 2025



WEB COPY



CrI.OP.No.3099 of 2025

17.02.2025