



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3025 of 2025

Vel Alias Murugavel
S/o.Balamurugan, NO 103 C,PILLAIYAR KOIL
ST, GANAPATHI CROSS,SENDARAPATTI,
SALEM

Petitioner(s)

Vs

State represented by, The Sub-Inspector of Police
Thammampatti Police Station, Salem District.
(Crime.No.4 of 2025)

Respondent(s)

For Petitioner(s):

Rajendran L
K.Elumalai

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 Sections 296(b), 118(1) and 351(3) of BNS, 2023, in Crime No.4 of 2025 on the file of the respondent police, seeks anticipatory bail.



2.The case of the prosecution is that due to previous enmity between the defacto complainant and the petitioner, the petitioner abused the defacto complainant in filthy language, assaulted on his head, left knee, back and hands with wooden log and caused injuries to him and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is innocent person and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for granting anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submits that there is a counter case against the defacto complainant and that the injured persons in both cases have already been discharged from the hospital. He further submits that there is no previous case pending against this petitioner.

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 nature of the allegations, there is a counter case and since custodial interrogation of the petitioner is not required for the investigation, this Court is inclined to grant anticipatory bail to the petitioner. 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-2, Attur, Salem**, 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[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



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SUNDER MOHAN , J.

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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.

07.02.2025

Index : Yes / No
Internet : Yes / No
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To

1.The Sub-Inspector of Police
Thammampatti Police Station, Salem District.

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

CrI.O.P.No.3025 of 2025