



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3357 of 2025

S.Dhanush

... Petitioner / A9

Vs.

The State Rep. by
The Sub-Inspector of Police,
V-6, Kolathur Police Station,
Chennai – 600 082.

(Crime No.08 of 2025)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
his arrest in Crime No.08 of 2025 on the file of the respondent Police.

For Petitioner : Mr.S.Rooban Kumar
For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)

ORDER

The petitioner / A9, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 126(2), 191(2),
191(3), 296(b), 115(2), 118(1), 351(3) and 109 of BNS, 2023 and Section 3 of



TNPPDL Act, in Crime No.08 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was previous enmity between the defacto complainant and the accused. While so, on 11.01.2025, due to wordy quarrel, the petitioner along with the other accused abused the defacto complainant in filthy language and assaulted him with knife and caused injuries. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case. He would further submit that A1 to A3 were arrested and released on bail and A10 was granted anticipatory bail by this Court in Crl.O.P.No.1791 of 2025 and that there is no previous case against the petitioner and that the injured has been discharged from the hospital. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) for the respondent would submit that there is no previous case pending against the petitioner and that the injured has been discharged from the hospital and that co-accused / A1 to A3 have been arrested and released on bail and A10 was granted anticipatory bail.



WEB COPY

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the fact that co-accused have been arrested and released on bail and similarly placed accused A10 has been granted anticipatory bail by this Court in CrI.O.P.No.1791 of 2025 and that the injured has been discharged from the hospital; and since 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 was made ready, before the learned **XIII Metropolitan Magistrate, Egmore**, 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

[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 [(2005)AIR SCW 5560]***;

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

12.02.2025

ata



WEB COPY

To

- 1.The Judicial Magistrate, Salem.
- 2.The Sub-Inspector of Police, V-6, Kolathur Police Station, Chennai – 600 082.
- 3.The Public Prosecutor, High Court of Madras.



WEB COPY



SUNDER MOHAN,J.

ata

Crl.O.P.No.3357 of 2025

12.02.2025