



CrI.O.P.No.3291 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3291 of 2025

Babu @ Nelson Babu

Petitioner(s)

Vs

The State Rep by,
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai
(Crime No. 111 OF 2025)

Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 111 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Santhana Sinakarthan

For Respondent : Mr.S.Balaji,
Govt. Advocate (Crl. Side)



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ORDER

Apprehending arrest in connection with Crime No.111 of 2025 registered for the offences punishable under Sections 296(b), 329(4), 118(1) and 351(3) of The Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of the Prohibition of Harassment of Women Act, 2002, the present petition has been filed by the petitioner seeking anticipatory bail.

2. It is the case of the prosecution that on 17.01.2025, while the defacto complainant returned home after giving a complaint about the theft of her mobile phone, the petitioner, who is residing in the ground floor of her house, abused her in filthy language, assaulted her and also threatened her with dire consequences, wherein she sustained injury. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He would submit that he would abide by any condition that may be imposed by this court. Hence, custodial interrogation of the petitioner is not required and prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and on instructions submitted that during the wordy quarrel,



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the incident was happened; that the defacto complainant was hospitalised; that now the injured got discharged from the hospital after taking treatment and that there is no previous case pending against him

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

6. Considering the aforesaid facts and the nature of allegation, that on the date of occurrence, there was a wordy quarrel between them; that he sustained injury; that now he was discharged from the hospital; that there is no previous case pending against him and that his custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, he 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, Thiruvottiur 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:



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[a] the petitioner and 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 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].

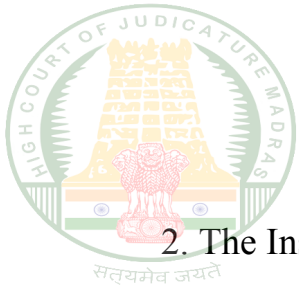
[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

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To

1.Judicial Magistrate, Thiruvottiur.



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2. The Inspector Of Police, H-8, Thiruvottiyur Police Station, Chennai.

3. The Public Prosecutor, High Court, Madras.

SUNDER MOHAN, J.

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