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CRL O.P. No.3252 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3252 of 2025

Thangamani S/o. Pannerselvam ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District. ... Respondent
[Cr. No.107 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in Crime No.107 of 2025 on the file of the respondent police.

For Petitioner : Mr. Parameswaran.S.

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER



CRL O.P. No.3252 of 2025

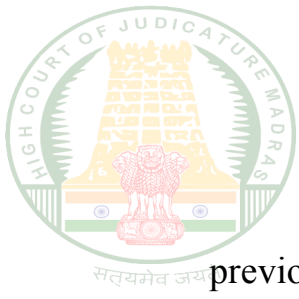
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The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Sections 329(3), 296(b), 118(1) and 351(2) of B.N.S. in connection with the case in Crime No.107 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute, on 01.02.2025, there was a wordy quarrel between the defacto complainant and the petitioner, which led to the attack on the defacto complainant using wooden log by the petitioner.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent; that he has been falsely implicated in this case; that the allegations are false and that in any case, custodial interrogation of the petitioner is not required and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), on instructions, would submit that the injured was discharged and there is no



CRL O.P. No.3252 of 2025

previous case pending against the petitioner.

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5. 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 nature of allegations, the fact that the injured was discharged from the hospital, that there is no previous case pending against the petitioner and since 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 on 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Sankarapuram** 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



CRL O.P. No.3252 of 2025

WEB COPY

respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

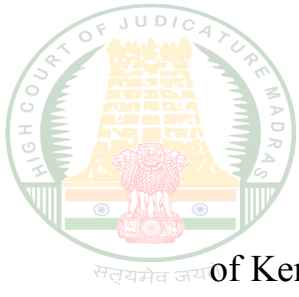
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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



CRL O.P. No.3252 of 2025

of Kerala [(2005)AIR SCW 5560].

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

10.02.2025

mjs

To

- 1.The Judicial Magistrate, Sankarapuram.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Kallakurichi Police Station, Kallakurichi District.

SUNDER MOHAN. J.,

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CRL O.P. No.3252 of 2025

CRL O.P. No.3252 of 2025

10.02.2025