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CRL O.P. No.3682 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3682 of 2025

Devadass S/o.Kannan

... Petitioner / Accused-3

Vs

State rep. by:-

The Station House Officer,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
[Cr. No.415 of 2024]

... Respondent

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.415 of 2024 on the file of the respondent police.

For Petitioner : Mr. S. Stalin

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

ORDER

The petitioner / Accused-3, who apprehends arrest in the hands of



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the respondent police for the offence punishable under Sections 296(b), 131, 109, 118(1) and 351(3) of B.N.S. in connection with the case in Crime No.415 of 2024, seeks anticipatory bail.

2. The case was registered based on the statement given by the defacto complainant, who was taking treatment as in-patient. The defacto complainant complained that on 24.11.2024, when the defacto complainant questioned the 1st and 2nd accused about the assault committed by them on the friend of the defacto complainant, the 1st and 2nd accused assaulted the defacto complainant also with knife and also threatened him with dire consequences.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent; that he has been falsely implicated in this case; that he has not committed any offence as alleged by the prosecution 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



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instructions, would fairly admit that the petitioner is having 25 previous other cases and out of which, 18 cases were disposed of and injured was discharged.

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, that the injured has been discharged; that in all previous cases, the petitioner is on bail and in any case, 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 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 No.II, Tiruvannamalai** on condition that the



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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 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



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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.

13.02.2025

mjs

To

1. The Judicial Magistrate No.II, Tiruvannamalai
2. The Public Prosecutor, High Court, Madras.
3. The Station House Officer, Tiruvannamalai Taluk Police Station, Tiruvannamalai District

SUNDER MOHAN. J.,

mjs



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