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Crl OP No.3722 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3722 of 2025

Manikandan @ Manivasakan

... Petitioner

Versus

State rep by its
The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
Crime No.137 of 2025.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.137 of 2025 on the file of the respondent police.

For petitioner : Mr.D.Dayalan

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), 115(2), 351(2) of the B.N.S.S Act, 2023 and Section 4 of Tamilnadu



Prohibition of Woman (Amendment) Act, 2002 in Crime No.137 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant regarding pathway dispute. Due to which, the petitioner had abused and attacked her and also caused injuries to her. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case and in any case, the custodial interrogation of the petitioner is not required. Therefore, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the injured was treated as out patient. However, he vehemently opposed to grant anticipatory bail to the 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 allegations and the victim took treatment as out patient, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

8. 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 on which the order copy is made ready, before the **Judicial Magistrate No.1, Arakkonam** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 shall report before the respondent police station daily at 10.30 a.m., until further orders.



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[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 is 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

17.02.2025

Vv

To

1. The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.



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

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SUNDER MOHAN, J.

Vv



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