



Crl.OP.No.3956 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3956 of 2025

Nepoleon
S/o. Krishnan 144/26, Balasubiramaniya Nagar
Chitravuthanpalayam Ellis Nagar Post
Dharapuram Taluk Tiruppur District - 638 657

Petitioner(s)

Vs

The State rep. by, The Inspector of Police,
Dharapuram Police Station Tiruppur District.
(Crime No. 58 of 2025)

Respondent(s)

For Petitioner(s):

N. Ponraj

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) and 118(1) of BNS 2023, in Crime No.58 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is



working in a Tasmac Bar, and that on the date of the alleged occurrence, the petitioner insisted the defacto complainant to bring a side dish, and he replied that it would not be given free of cost, as a result, the petitioner abused and attacked the defacto complainant with a beer bottle, causing injuries to him. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case; that the petitioner has no previous bad antecedent, and that custodial interrogation of the petitioner is not necessary in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that the victim was admitted in the hospital and thereafter discharged and that the petitioner has no previous case against him.

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.



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6. Considering the nature of dispute, the fact that the injured is discharged from the hospital 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 subject to the following conditions

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Dharapuram**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

(c) the petitioner shall not tamper with evidence or witness either



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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]**;

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

17.02.2025

drl

To

1. The Inspector of Police,
Dharapuram Police Station
Tiruppur District.

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

SUNDER MOHAN, J.

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