



Crl.OP.No.3978 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3978 of 2025

1. Harish
2. Jayakumar

Petitioners

Vs

State Rep By, The Inspector Of Police
G2, Periamet Police Station,
Chennai
(Cr.No. 27 Of 2025)

Respondent

For Petitioners:

N.Naresh

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 126(b), 296(b), 115(2), 118(1) and 351(3) of BNS 2023, in Crime No.27 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.01.2025, the petitioners



along with other accused dashed the two wheeler of the defacto complainant, due to which, there was a wordy quarrel between them, in which the petitioners abused and assaulted the defacto complainant, thereby causing injuries to him. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case; that the petitioners have no previous bad antecedents, and that custodial interrogation of the petitioners 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. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



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 petitioners subject to the following conditions

(a) Accordingly, the petitioners are 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 **Metropolitan Magistrate No.II, Egmore, Chennai**, 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 petitioners shall report before the respondent police daily at 10.30 a.m, until further orders.



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(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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
G2, Periamet Police Station,
Chennai.

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

SUNDER MOHAN, J.

drl



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