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Crl.O.P.No.4058 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.4058 of 2025

Akash,
S/o.Ramu,
Kovil Street, Pethilkuppam Village,
Thervazhi Post, Gummidipoondi Taluk, Thiruvallur District.

Petitioner(s)

Vs

The State Rep.by,
Inspector of Police,
Padhirvedu Police Station, Thiruvallur District. (Crime No.24 of 2025)

Respondent(s)

For Petitioner(s): Mr.Udhayaraj, Mr. N. Lokesh Raj, Mr. B. Ajith Kumar,
Mr. A. Manoran Jan, Mr. M. Vishak.

For Respondent(s): 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 191(2), 191(3), 296(b), 118(1), 109(1) and 351(3) of the Bharatiya Nyaya Sanhita, (BNS), 2023, in Crime No.24 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, the petitioner, along with the other accused, invited the de-facto complainant for a cake cutting function. They took him to their house on their bike. En-route, the petitioner, and the other accused inquired about one Saravanan's house. When the de-facto replied that he was unaware of the location, they repeated the question. After de-facto complainant reiterated his lack of knowledge, the petitioner, along with the other accused attacked him with knife. As the de-facto complainant attempted to escape, he sustained a cut injury as on his left hand. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the



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respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner, along with the other accused invited the de-facto complainant for a cake-cutting function and took him in their bike. At that time, the accused/A1 attacked the de-facto complainant with knife, along with the accused A2, A3 and A4 and also scolded him in filthy language. The accused/A1, A2 & A3 were arrested and are still in custody. The injured person has been discharged. Initially, the petitioner's name was not included in the First Information Report. However, in a statement given at the hospital, the de-facto complainant implicated the petitioner, alleging that he was also involved in this case. Further, he submitted that the petitioner has one previous case under the Arms Act.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the First Information Report.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, and also



considering the fact that the petitioner's name was not included in the First Information Report and the injured has been discharged from the hospital, and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with 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 on which the order copy made ready, before **the learned Judicial Magistrate, Gummudipoondi**, on condition that the petitioner shall execute a separate 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 condition 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;



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

[d] the petitioner shall not abscond either during the investigation or during the 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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18-02-2025

klt

SUNDER MOHAN, J.

klt

To



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1.The State Rep.by,
Inspector of Police,
Padhirvedu Police Station,
Thiruvallur District. (Crime No.24 of 2025)

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