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CRL O.P. No.5058 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.5058 of 2025

Ashok Kumar S/o. Arunachalam ... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Thalaivasal Police Station,
Salem District. ... Respondent
[Cr. No.62 of 2025]

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.62 of 2025 on the file of the respondent police.

For Petitioner : Mr.B. Sridhar

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the



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respondent police for the offence punishable under Sections 296, 115, 74 and 351 of B.N.S. in connection with the case in Crime No.62 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner abused the defacto complainant in filthy language and assaulted her, thereby the latter sustained injury.

3. Learned counsel for the petitioner would contend that the allegations against the petitioner are false; 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) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the injured has been discharged from the hospital; and that the petitioner has no bad antecedents.

5. Heard the learned counsel for the petitioner and the learned



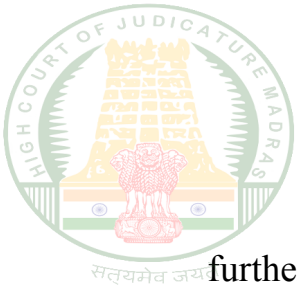
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Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

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6. Considering the nature of allegations, the fact that the injured was discharged from the hospital, the petitioner has no bad antecedents 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 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, Attur, Salem District** on condition that the petitioners shall each 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



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further conditions that:

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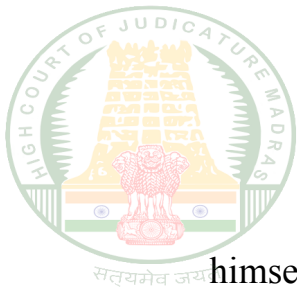
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

25.02.2025

mjs

To

- 1.The Judicial Magistrate No.II, Attur, Salem District.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Thalaivasal Police Station, Salem District.

SUNDER MOHAN. J.,

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