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CRL OP NO. 4437 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4437 of 2025

Santhosh @ Maridharshan
S/o.Murgesan, Residing at No.17, Annai
Theresa Nagar, Kakkalur, Tiruvallur District -
602 003.

Petitioner(s)/A3

Vs

The State by, The Inspector of Police,
Thiruvallur Taluk Police station, Thiruvallur,
Thiruvallur District. Crime No.26 of 2025.

Respondent(s)

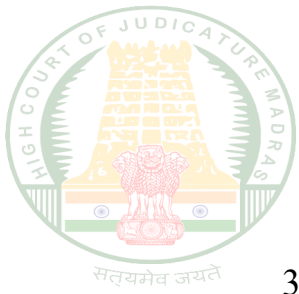
For petitioner (s): Mr.Srinivas M J

For Respondent(s): Mr.S.Balaji, Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) and 109 of BNS Act, 2023 of IPC in Crime No. 26 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the de facto complainant had a wordy quarrel, as a result of which the latter was attacked and injured. Hence, the complainant.



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3. The learned counsel for the petitioner is innocent; that he has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation , hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case as against the petitioner and that the injured was discharged from the hospital.

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

6. Considering the submissions made on either side; nature of allegation; that the injured was discharged from the hospital and since 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 his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Thiruvallur** 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 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 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

20.02.2025

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SUNDER MOHAN, J.

vca

To

1. The State by, The Inspector of Police,
Thiruvallur Taluk Police station,
Thiruvallur, Thiruvallur District.
Crime No.26 of 2025.

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