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Crl.O.P.No.5448 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM

THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.5448 of 2025

Ramesh. M.

...Petitioner/Accused Rank not known

Vs.

The State Rep. By
The Inspector of Police,
F-2, Egmore Police Station,
Egmore,
Chennai.

Crime No.106 of 2025

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
arrest in Crime No.106 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Yogaraja Sekar

For Respondent : Mr.Leonard Arul Joseph Selvam

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), 115(2), 118(1) and
351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.106 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 is a porter at the Egmore Railway Station; that the *de-facto* complainant is a battery vehicle operator at the aforesaid railway station; that due to previous enmity, the petitioner, along with other accused, waylaid the *de-facto* complainant, abused him, and attacked him with hands and plastic chairs. As a result of which, the *de-facto* complainant sustained injuries and was admitted to the hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; and that in any case, custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.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; that the petitioner has no bad antecedents.

5. Considering the nature of the allegations, the facts that the injured has



been discharged from the hospital and the petitioner has no bad antecedents 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 with certain conditions.

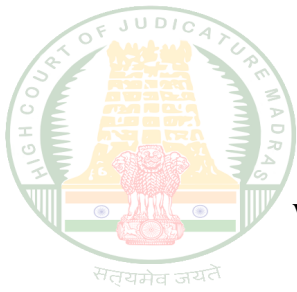
6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **Metropolitan Magistrate No.XIV, Egmore**, on condition that the petitioner shall 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, on further condition that:

[a] 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 abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or



witness 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 B.N.S.

28.02.2025

dk

To

- 1.The Metropolitan Magistrate No.XIV
Egmore.
- 2.The Inspector of Police,
F-2, Egmore Police Station,
Egmore,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN,J.
dk

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