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Crl.OP.No.5204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5204 of 2025

Logu @ Loganathan

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
Pallikonda Police Station,
Vellore District.
(Crime No. 10/2025)

Respondent(s)

For Petitioner(s):

Mr.D.Thirumoorthy

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) and 115(2) of BNS 2023 r/w Section 4 of the Tamil Nadu Women Harassment Act, in Crime No.10 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, due to previous enmity, there was a wordy quarrel between the petitioner and the defacto complainant, during which the petitioner assaulted the defacto complainant, abused him in filthy language; and also threatened the defacto complainant with dire consequences. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, and due to previous enmity, the petitioner has been falsely implicated in this case; that the petitioner and the complainant are known to each other; and that the custodial interrogation of the petitioner is not necessary in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there is a counter case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the



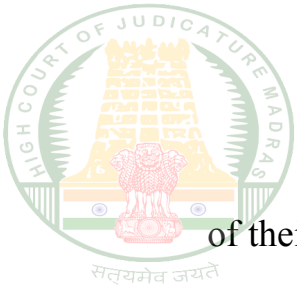
materials available on record.

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6. Considering the submissions made on either side; nature of allegations; that there is a counter case; 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 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, Additional Mahila Court, Vellore**, on condition that each 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 conditions 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



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of their Aadhar card or Bank pass Book to ensure their identity.

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[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

26.02.2025

drl

To

1. The Inspector Of Police,
Pallikonda Police Station,
Vellore District.
2. The Public Prosecutor,



Madras High Court, Chennai.

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SUNDER MOHAN, J.

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